

# IDEAS IN PUBLIC POLICY

by  
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## Declaration

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A handwritten signature in black ink, appearing to read 'David Adams', with a stylized, flowing script.

DAVID ADAMS

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## GLOSSARY OF SHORT FORMS

ABS	Australian Bureau of Statistics
ALP	Australian Labor Party
APS	Australian Public Service
CEO	Chief Executive Officer
COAG	Council of Australian Governments
COSS	Council of Social Services
COTA	Council on the Ageing
CSO	Community Service Obligation
DPAC	Department of the Premier and Cabinet
DSS	Department of Social Security (Commonwealth)
DTEC	Dependent Treatment Entitlement Card
DVA	Department of Veteran Affairs
EEO	Equal Employment Opportunity
FMIP	Financial Management Improvement Plan
HBC	Health Benefits Card
HCC	Health Care Card
IDC	Inter-departmental Committee
MHA	Member of the House of Assembly
OSW	Office of the Status of Women
PBC	Pensioner Health Benefits Card
PHBC	Pensioner Health Benefits Card
PLP	Parliamentary Labor Party
PSC	Public Service Commission
SJC	Social Justice Committee
SJCAC	Social Justice Community Advisory Committee
SPBC	Service Pensioner Benefits Card
SPC	Special Premiers' Conference

STEC	Specific Treatment Entitlement Card
TPI	Totally and Permanently Incapacitated
TPS	Tasmanian Public Service
WEL	Women's Electoral Lobby

## ABSTRACT

### IDEAS IN PUBLIC POLICY

This thesis examines the extent to which ideas play a role in policy activity and, if so, how.

Mainstream policy studies paradigms focus on either the decision making processes or the formal goals and authoritative structures underpinning policy activity to understand the process and outcomes. However, like other work in the emerging 'post-positivist' policy studies literature, this thesis questions the traditional 'rationality' of the conventional paradigms and demonstrates that argumentation, ideas, interpretation and learning within policy networks are also key factors in understanding how and why policy happens. In this approach, focusing on the ideas in play is crucial. So are the policy networks which provide the sites of argumentation and the hustle and bustle of everyday policy work. So is the idea of policy learning in order to understand the circumstances under which ideas emerge, cluster and change.

Ideas are classified in the thesis by level of abstraction ranging from macro ideas (eg. social justice, liberalism) to meso-level ideas (eg. merit, charging for public goods) to more concrete, micro-level ideas (eg. a seniors card for the ageing). As becomes evident in the analysis, meso level *proximate ideas* are central - ideas that link abstract and largely ideological ideas with concrete manifestations in particular cases. Moreover, as proximate ideas become institutionalised and legitimated within the workings of policy networks and the policy process, their influence significantly increases.

To examine the role of ideas in policy activity this thesis presents four case studies: equal employment opportunity; social justice; concessions in social policy; and charging for public services. The range of ideas present in each case is examined, as is their emergence, the role of policy networks, and the conditions under which particular ideas or clusters of ideas become more or least influential.

The EEO case reveals how central ideas regarding justice, equality, compensation for prior harm and structural efficiency are essentially political resources which are constituted and employed variously by actors in policy networks to manage and shape the process of policy argumentation. the social justice case - examined in relation to the Labor/Green Accord in Tasmania - reveals how, while social justice may be symbolically central to some settings, it was strategically challenged and weakened by more powerful proximate ideas based around economic rationalism. the case of user charging for entry to national parks reveals how some 12 ideas were marshalled against user charging, but that these alternate ideas lacked policy network organisation or institutional consolidation and were therefore ineffectual in competing with the proximate idea of user charging. In the case of concessions reform in social policy the analysis demonstrates how, in the absence of proximate ideas and associated active networks, change is likely to be incremental and uncertain.

The central arguments emerging from the analysis are, first, that ideas do play a central role in policy processes and outcomes and that the emergent post positivist approach to policy studies - unlike the traditional paradigms - is able to grasp and reveal that role. Second, it is clear from the case studies that ideas which are given proximate form - made objective, institutionalised and legitimated - are far more likely than others to be influential in the policy process. Third, it is also clear that the manner in which actors in policy networks, learn about, interpret and use these ideas in their relations with other policy networks is also crucial. Integrating these types of arguments with those emerging from research into policy networks and policy learning will contribute to further understanding policy activity and outcomes.



## Chapter One

### Introduction: Aims, Scope and Content of the Thesis

Not ideas but material and ideal interests, directly govern men's conduct. Yet very frequently the 'world images' that have been created by ideas have, like switchmen, determined the tracks along which action has been pushed by the dynamic of interest.

*Max Weber, The Social Psychology of the World Religions - 1915.*

#### 1.1 Background and Objectives

For many years as a senior policy manager in the public sector, I puzzled over the role of ideas in shaping policy. Behind the appearance of instrumental rationality and objectivity there were an array of contested yet important ideas lurking, but which were muted in, and by, the public sector lexicon. The dominant ideas of the public sector - ideas such as strategic planning, programs, and their various manifestations, and ideas which seemed to inevitably cast a smooth and effortless order and purpose over policy activity - all seemed to mitigate against other ideas bubbling out into the open. Yet behind the glossy publications, reports and decisions, the bulk of the policy work consisted of arguing about ideas with ideas, their meanings, relevance and possibilities. Fundamentally, policy activity seemed mostly about battles won and lost over ideas. Ideas mattered. Indeed, they were both the prize of policy activity yet also its currency.

An example illustrates the point. In 1989, the new Tasmanian State Labor Government introduced a social justice strategy. Every indication was that it would be a success. Social justice had been at the forefront of the Australian Labor Party (ALP) nationally and there were numerous goal statements to draw upon. But over the term of this government, very little happened and there were few demonstrable impacts on the well-being of the population attributable to the strategy. What did eventuate seemed largely symbolic, involving little more than the production of discussion papers, staff training and *pro formas* for budgets and cabinet submissions. Later, various committees searched for, and found, implementation 'failures' within the strategy and concluded that basically a lack of inter-departmental coordination and a lack of

education and training of bureaucrats, caused the problem. To me, however, there was another possible explanation. The outcomes might have been limited, but there had been enormous efforts put in within departments and long and draining arguments about the notion of social justice and how it might be operationalised as policy. The reason why it failed seemed to me to be because social justice was a relatively 'weak' policy idea in the context of the moment and that there were much stronger ideas competing for the policy space.

However, these simple statements belie the complexity of what was meant by a weak or a strong idea. The social justice idea seemed weak, partly because of certain characteristics of the idea itself. It remained formal and abstract and, partly because of its relationship to the environment, it did not seem capable of addressing immediate problems. There were other factors too, including a fragmented policy network, which might otherwise promote the idea, and a lack of discursive forums in which it might be examined. Crucially, also, there were alternative ideas with stronger claims - in particular, ideas of micro-economic reform - which were dominating the agenda and against which social justice was unable to compete.

As I strove to interpret the dynamics and outcomes which befell the social justice strategy, I increasingly came to the view that, despite traditional policy studies approaches - which tend to focus either on decision making, the stages of the policy process, or the constitutional framework within which policy decisions are made, ideas themselves were a central and influential part of these policy processes and, as such, deserved detailed study. Moreover there seemed to be certain constituent features of ideas which provided a framework for doing so.

First, there seemed to be what I later came to call a 'conceptual architecture' associated with ideas. Ideas appeared to vary both by level and arena; that is, they ranged from the broad and formal and the substantive and specific, and seemed to cluster in three main arenas - in sectoral arenas (eg the idea of need in social policy), ideas about the role of government cluster in the political arena (eg ideas of

'government by the market'), and, finally, administrative ideas (eg the idea of 'merit' as a principle of recruitment in public sectors).

The second fundamental aspect to understanding the role of ideas in the policy process was that their characteristics constituted the initial determinants of influence. Some ideas seemed more able than others to be constructed to both define agendas, explain problems, create goals and suggest solutions. Others did not. For example, the ideas of social justice seemed disconnected from the perceived problems of the 1990s in Tasmania, whereas the ideas of micro economic reform were much more relevant and hence influential. The third crucial aspect was the site of activity within which, and through which, ideas appeared and had influence. Policy networks provided this site and the structure and activities of these networks were crucial in shaping the role that particular idea would play. To illustrate the point, some networks were mature, aggregated and articulate whilst others were unorganised, fragmented and lacked access to the policy process and the character and structure of the network was decisive in whether the ideas each bore were influential. Fourth, given the characteristics of ideas and the structure of the networks the main policy activity was interpretation, argumentation and manoeuvring in each case by the actors in the networks which will be referred to in this study as 'policy design work'. In the social justice strategy, for example, this work was characterised by uncertainty, interpretation, argumentation, positioning and rhetoric, rather than rational goal setting, decision making and consensus, and essentially involved actors in the policy network using and fighting for the ideas which they were bearing.

These four characteristics seemed to provide a basis for understanding what was lacking in conventional accounts of the policy process - the role and influence of ideas - and an analytical framework to use in filling this gap. Accounts of policy that focussed on decision making and the paradigms are still entrenched in what Stone (1988) calls the 'rationality project', and seemed to miss much of the action of policy. In particular the role of ideas seemed under theorised and under researched, yet ideas seemed to me to be central to the debates and indeed were the lifeblood of much of the action.

Moreover, there is an emerging strand within policy studies - referred to as the 'post positivist school' - which takes a similar approach, attributing a more central role to ideas in understanding how and why policy happens. This thesis then adopts a broadly post positivist position and draws extensively on this literature. Its research objective is *to identify and analyse the conditions under which an idea or cluster of ideas is more or less likely to become influential in a policy case*. To this end four policy cases (equal employment opportunity, social justice, concessions, and charging for public services) are analysed with ideas as the central organising concept. In common with the postpositivist orientation, the methodology is broadly interpretivist. There is a long and distinguished tradition in the social sciences which looks at ideas and their interpretation, and more recent but similarly focused one in policy studies. (Tribe, 1972; Schaffer, 1977; Rein 1976) Whilst post-positivist writings may be confined to the fringes of policy studies, and may be limited in terms of theorising and researching ideas in themselves, its hermeneutic and interpretivist methodological prescriptions are entirely appropriate for focusing on ideas and their influence, and hence provides an appropriate launching pad for this thesis.

A recent review of *The Argumentative Turn in Policy Analysis and Planning*, (Fischer and Forrester, 1993) noted:

. . . the nature of this snapshot - its chaotic composition and blurry focus - shows how far we need to go to formulate an acceptable alternative model to guide the practice of policy analysis. . . ' (Durning, 1995: 102)

Understanding and being analytically sharper about the role of ideas is one pathway to clearing away the blurry focus.

## 1.2 Ideas

Ideas are important in policy because they provide reasons for actions and they provide directions for actions; that is, their contents can imply the need for action and often the need for action of a

particular type. Apart from a few notable exceptions (Kingdon, 1984; Stone, 1988; Pal, 1992; Reich, 1990), those contemporary writers in policy studies and political science who discuss ideas do not define them, identify their constituent characteristics, or, examine their influence in the policy process relative to other conditions. This suggests that 'idea' is a slippery concept. It is important that their constituent characteristics are identified for the purposes of this thesis, based on my policy observations and from the limited research in this area. (Young, 1977; Pal, 1992)

First, ideas entail an *ontology*, a belief describing something in the world, such as a belief that the application of user charging in the public sector will solve revenue problems. Ideas can also entail an *evaluative* component, for example, that user charging is good. This evaluative or moral component can entail various levels of affect, of feeling and emotion. The affective intensity becomes a crucial determinant of an actor's propensity to mobilise around a policy issue where the idea in question is being advocated or challenged. Ideas can entail a *prescriptive* component; for example, the belief that user charging should be introduced across the public sector. Related to this, is a *directive* component, a view of what the course of action should look like. An example is that user charging should be at the marginal cost of producing a good or a service. Finally, ideas can entail *cathexis*, the capacity to relate cognitive and affective phenomenon, a comparison of how one views the world with how one feels about the world. That is, the sum total of the components of ideas can entail a synthesis that can form the basis of a way of viewing issues and events.

On this basis, I advance the following definition to provide an initial focus for the discussion and which provides a basis for subsequent empirical inquiry.

*Policy ideas can be defined as shared beliefs entailing ontological, evaluative, directional and relational elements shaping, impacting on and responding to the context, content and construction of policy goals policy problems and policy solutions.*

Throughout this analysis, I particularly focus on those ideas which become embedded in the institutional framework of policy and therefore potentially shape all policy activity. For example, the constituent ideas of the program format in managerialism (Corbett, 1992: Ch 4) are ideas *of* policy, they are part of the basic architecture of how policy works being embedded in public administration. They are part *of* policy and therefore relevant *in* most policy cases. Other ideas, such as freedom or targeting of welfare, on the other hand, are ideas that may or may not be relevant *in* a particular policy case but they are not relevant to all *of* policy they are not part of the institutional framework of policy. I am particularly interested in exploring those embedded ideas which are the most influential, the proximate ideas. For example, in the 1990s the ideas of economic rationalism or as Self (1993) describes it 'government by the market' are particularly dominant. The ideas of economic rationalism are macro ideas, akin to what Hood and Jackson (1991) would call a 'philosophy'. In this thesis I am less concerned with macro level ideas and more concerned with meso and micro level ideas. Meso level ideas are at the level of what I will call policy arenas and would include, for example, in social policy the ideas of need, desert, universality, targeting and self reliance. In what I will call the administrative arena would be included ideas like merit, the program format and strategic planning. Whilst universality in social policy is an embedded institutional idea it is not proximate whereas selectivity and targeting are both embedded and proximate. In the public sector, for example, the ideas of merit, user pays, strategic planning are all embedded and proximate ideas.

For ideas to be able to influence policy action, they would need to have certain characteristics. They would need, for example, to be able to demonstrate cause and effect - enable identification and explanation of a problem, be able to solve immediate and widespread problems, be able to be presented in simple semiotic ways, be able to respond to changing conditions, and be able to define problems, goals and solutions. They would need to be able to do this in ways that were superior to competing ideas.

### 1.3 Treating Ideas as an Independent Influence in the Policy Process

In Chapter Two, I will discuss the relationship between ideas and interests, and ideas and institutions. I do not intend to dwell on the demarcation of ideas from interests or institutions or other related phenomena. I argue that all these entail ideas and that the recognition, identification and analysis of the ideational components is both possible and necessary to understand policy. What is at stake here is not over determination by any one concept but the nature of independence and influence within an interdependent framework.

A problem in proposing ideas as an independent force in the policy process is that obviously they are connected to other phenomena but in particular to actors, to interests, and to institutions. The problem can be accommodated through the complex concept of independence within a framework of interdependence and this is what is required if ideas are to be theorised and researched as an independent force but without sliding into some extreme version of idealism abstracted from actors, interests and institutions.

Much of the obscurity around the concept of ideas as an independent force can be cleared away by focusing on the specific characteristics of ideas and how those characteristics are proximated by actors in a particular policy case. The analytic differentiation of ideas by *levels* and by *arenas*, by *characteristics* and through the *structure and design* work of networks enables theorising and research to focus on the substantive conditions of influence rather than aggregating them to the generic concept of a 'force of an idea'. For example, assessing the evaluative component of an idea enables judgement on the extent to which evaluative and affective content may warrant use of the term 'value' to describe the phenomenon. My concern is to open up empirical enquiry into the nature of the characteristics of ideas and the role of characteristics in determining influence levels. In doing this, the boundary distinctions between the characteristics of ideas and the characteristics of related phenomenon should at least be more observable.

Part of the way in which ideas influence action stems from the fact that they provide reasons for action, although this is not to claim they 'cause' action. It is, however, to claim that by demonstrating that if ideas have the sort of features noted here then they would warrant more theorising and research than has been attracted to date. Claims about the independent effect of ideas as a generic category of explanation will remain problematic until there is considerably more research on types of ideas. In particular this requires focussing on the mechanisms through which ideas operate, and the strategic design work within, and between, mechanisms. To date, the post positivist literature has been strong on the design work (eg Bobrow and Dryzek, 1987; Paris and Reynolds, 1983; Majone, 1989) somewhat less concerned with conjunctural mechanisms and much less concerned with the specific architecture of ideas (other than, for example, Kingdon, 1984, Hood and Jackson, 1991; Stone, 1988).

In fact, three seminal works have moved in this direction and as such are central to this thesis. They are Deborah Stone's *Policy Paradox and Political Reason*, John Kingdon's *Agendas, Alternatives and Public Policies* and, Christopher Hood's and Michael Jackson's *Administrative Argument*. These works all raise, in different ways, the central concerns of this thesis. All three position ideas as central organising concepts and all three begin to explore both the characteristics of types of ideas and the conditions under which some ideas become more influential than others. Hood and Jackson have the most detailed architecture on levels of ideas with philosophies, doctrines and justifications as the main categories. They also have the most specific account of what I will call arena ideas, in their case, administrative ideas. I argue that there are likely to be three categories of arena ideas present in any public policy case, sectoral ideas from the sector under consideration (eg social policy) political ideas and, administrative ideas. I will also argue that ideas can be conceptually framed by 'levels'.

Following Stone, I will argue that the policy process can be conceptualised as the struggle over ideas and that to take this approach is not to deny the influence of, for example, interests or institutions but to locate their relevance by reference to the ideational



and argumentative processes in which they are embedded rather than the other way around. Like Kingdon, I will be concerned to explore the conditions under which ideas form and emerge from the 'primeval soup' and then to track the way some ideas more than others make it to the top of the policy heap. In particular, I extend the Kingdon analysis on the role and significance of policy networks in these processes. Overall, however, the thesis differs from Kingdon in that this study is primarily a meso level empirical study of ideas with a specific focus on conceptualising the characteristics of ideas and the conditions under which ideas are likely to be more or less influential. By influence I mean the capacity of any one idea to shape the process and outcomes of policy relative to other ideas. Influence is about capacity to realise desired agendas, goals and solution, and it is about the ability to change the thinking and behaviours of others. This can frequently be through subtle, diffuse and invisible processes.

Given the analytical strategy adopted here, that is, that ideas have an independent and interdependent analytically separate role in the policy process then a comprehensive research strategy would need to establish the following: the distinguishing features of ideas likely to promote influence; determine the conditions under which some ideas may be more or less influential than other ideas, and differentiate ideas from other sources of influences in the policy process such as interests.

It is in the first and second areas that this thesis concentrates: however, in doing so it contributes to the other areas.

Much of this new focus on ideas is simply the recognition of activity that has been present for some time rather than identifying a new form of policy activity. It could well be that the ideas and the argumentation about ideas have always been important in the policy process; however, it is only relatively recently that the issues have emerged as a focus for theorising and research.

To date, policy studies has focussed either on the authority structures, goals and outcomes of policy activity or on the processes and techniques of decision-making. These approaches have

dominated the discipline and formed the essential organising concepts of policy studies. The focus on ideas suggested in this thesis is part of a parallel development in policy studies which gives prominence to interpretation, meaning systems and argumentation as important phenomenon in themselves in describing and accounting for policy activity. The ideas orientation puts more emphasis on the organisation and work of the policy networks around policy issues and on the ideas that form much of the substance of policy debate.

#### **1.4 What the Study Argues**

Arguing for more theory and research about ideas in policy is not to posit a completely new approach to policy but rather to claim that conventional approaches to policy analysis and understanding the policy process may be lacking to the extent that they do not adequately address the role of ideas. The dominant conventional approach to policy provides for a rational and sequential process which, whilst not ignoring ideas, tends to view ideas in simple instrumental ways in the context of rational purposive action. Whilst these are usually presented as 'models' (eg Hogwood and Gunn, 1986) they have had a pervasive affect on thinking about how policy happens.

It needs to be emphasised that I am not claiming that ideas are the 'missing' independent variable in the social sciences or that power, institutions and the like are all dependent variables when it comes to accounting for policy outcomes. Rather, I make the more modest claim that positing ideas as a central organising concept in policy may establish new patterns and regularities that will inform our understanding of how and why policy happens.

Given theorising and research in this field is still in its infancy, this thesis could have approached ideas from many angles. Three of the more obvious gaps that could have been tackled include: firstly, cataloguing the range of ideas in policy sectors, in politics and in administration. Secondly, the focus could have been on the explanatory and boundary issues between ideas and other policy

influences such as interests and institutions. These issues have consumed much effort in the past and I argue the way forward is to explore new ways of conceptualising ideas rather than revisiting historical cul de sacs. Thirdly, the focus could have been on methodological issues. The fuzziness of research methodologies in this area remains an issue for all researchers but rather than focus on this, I have built it into the theorising and framing of the cases in the belief that meso level research may shed further light on methodological issues. Finally, the focus could have been on comparing accounts of policy contrasting an ideas orientation with other mainstream accounts. Such a comparative analysis presupposes a clear ideas orientation which simply does not exist at present and the effort of this thesis is in building up the theory and research to inform the orientation.

So, cataloguing, carving out an explanatory space, and exploring methodologies are all important and pressing tasks and their absence makes theorising and research more difficult. However, they are not the focus here. My concern has been to build on the theorising to date about framing ideas, and to explore through case studies the conditions under which ideas are most likely to be influential.

## **1.5 The Significance of the Study**

There are a number of reasons why this topic merits attention. First, within policy studies there is currently a resurgence of interest in the construction, form and function of ideas. During the 1970s and 80s a number of apparently stable ideas either disappeared or significantly changed their form. Amongst these ideas we could include the demise of Keynesian economic policy and many of the ideas associated with traditional public administration and Weberian bureaucracy. Concurrently, a raft of new ideas have emerged under various labels including managerialism, economic rationalism, the program format, strategic planning, targeting, social justice, merit, and structural efficiency. Why such apparently fundamental ideas changed and how new ideas emerged, has become a new area of theorising and research in policy studies. (Self, 1993; Hood, 1994;

Reich, 1990; Forrester and Fischer, 1993; Hood and Jackson, 1991; Quirk, 1988; Goldstein, 1993; Hall, 1989).

However, much of this research is at the macro level and there is a lack of research on specific cases to explore how and why ideas change. This thesis tackles the meso and micro level analysis and in doing so contributes to the development of methodologies to refocus the investigative lens on ideas. Second, from a practitioner perspective it is important that policy work is informed by theory and research that is grounded in the study of the contemporary public sector. There is considerable and growing evidence that many of the managerialist reform so the 1980s are wanting in many areas (Considine, 1995) and that new forms of practice are emerging (Yeatman, 1994). These new forms of practice all have a strong focus on ideas and the discursive processes around ideas yet there is limited research into the emerging new forms of administration. In part as a consequence of this the in-service training knowledge available to and used in the public sector, remains largely entrenched in the rationality project. At present, however, the interpretivist literature is seen by many practitioners as dense and distant from reality. As a recent review of Fischer and Forrester (1993) stated

Yet the often brilliant insights found in these chapters might be difficult to incorporate into actual policy making . . . this is not a book for the faint hearted. (Sayers 1995: 610)

By concentrating on the case studies to explore ideas, I aim to narrow the gap between theory and practice. Finally, if ideas are important influences on policy but disguised in various ways, then there is a normative concern that choices to be made, and their consequences, could well be better informed if ideas and their consequences were more transparent and contestable. Frequently the ideological content of such doctrines is obscured or rejected, yet the impact in society is very real. Whilst this is not a normative thesis, like most writers in the post positivist tradition, I hold to the belief that research into the role of ideas in society may assist in producing (eventually) a more open and democratic society.

## 1.6 Studying Ideas

To explore the nature and role of ideas in policy work requires an interdisciplinary approach. Whilst the central body of knowledge utilised in the study is from policy studies there are many other bodies of knowledge or 'disciplines' of direct relevance. Most apparently the study embraces elements of social policy, political science, social philosophy, sociology, social theory, economics and public administration. Indeed many authors have argued that policy studies is essentially a hybrid discipline drawing from these and other disciplines (Davis *et al*, 1993: Ch 1). For example, a recent Australian review of the 'state of the discipline' included the argument that

. . . public policy has been an effort to apply political science to public affairs; its inherent sympathies with the practical field of public administration are real, and many scholars who identify with the public policy sub-field find themselves in a twilight zone between political science and public administration pirouetting in the shadows of both disciplines. (Hughes, 1992: 527)

This immediately invites critics to scrutinise a study such as this to assess coherence with particular definitions of policy or policy studies and similarly invites criticisms that the study has either ignored or underscored other particular disciplines or parts thereof.

For example, with a focus on ideas one could readily adopt for example a more explicitly traditional Weberian framework or a more contemporary sociological focus on communicative action (Habermas, 1987) or structuration (Giddens, 1984). Similarly developments in axiology - the study of the theory of value (Gauss, 1990) and semiotics (Hawkes, 1977) have shed light on the links between ideas and values and between ideas and the theory of signs. Where there are obvious and important connections between the arguments of this thesis and related arguments I will note them; but, I intend to stay fairly close to the policy studies literature and especially the political science and public administration strands.

All of these bodies of knowledge are constituted by diverse and contested theoretical and methodological issues. Indeed the mere

categorisation of knowledge and/or practices is itself a contested and politicised matter as evidenced by the contemporary debate over words such as policy, management and, administration. (Hughes, 1994; Yeatman, 1994)

Missing from an ideas orientation to date is meso level research - research of policy activity that falls between general societal policy (macro) and the specific decision making of individuals and groups within specific organisational settings (micro). This thesis addresses the gap by presenting four meso level case studies. These cases are presented and analysed in the light of the conceptual building blocks of an ideas orientation noted earlier; that is, the cases are analysed in terms of classification of ideas by level and by arena - through the lens of the policy networks and, through focusing on the characteristics of the ideas and policy design work of the networks that create influence.

The cases are all policy areas that I have been involved in over the past 15 years and are no more or less representative of the field of public policy than any other cases. The focus is on ideas and whilst the exact nature and role of ideas may well vary between policy sectors and between cases, the argument here is that the mechanisms and analytical characteristics are less likely to do so. As there is so little research in this area it is difficult to draw comparisons either with other general research into the selected policy cases or, indeed, into any research from a policy studies perspective that specifically addresses the role of ideas.

This thesis concentrates on Australian public policy; the extent to which any 'lessons' drawn in this study may apply to other nations would require further analysis. Indeed a better grasp on the form and function of ideas in policy should greatly improve the capacity to undertake comparative policy research. Recent studies of comparative public policy such as those by Castles (1989) and Rose (1993) demonstrate that increasingly ideas are becoming 'transferable' across time and space even though most public policy has features of 'otherness' as well as 'familiarity' when viewed comparatively (Rose, 1993: xiii).

There is very little specific Australian policy studies theory or research into the nature or significance of ideas in policy activity other than that by Colebatch (1993, 1995), Painter (1990) and Hood and Jackson (1991). There are, however, recent developments in related fields where ideas are being given prominence. Stokes (1994) has edited a collection of articles on 'Australian political ideas' identifying and analysing unique features of Australian social and political thought. Stokes argues that the 'scholarly neglect' of political and social ideas in Australia limits the social and political self awareness of Australian society and polity (p.9).

As with the ideas literature, the Australian literature on policy communities/networks and on policy learning is also limited. There is, however, evidence of increasing interest in both these areas and consideration of the potential distinctive Australian features within each of these areas. (Ryan, 1993; Davis *et al*, 1993: 254-257, Moon, 1994) To do justice to the complex and burgeoning literature in these areas is beyond the scope of this thesis and, whilst I will identify the main theoretical developments and critiques, these concepts are not the primary focus of the thesis. This thesis is thus limited to the extent that it could be seen to have selectively chosen from these new bodies of writing.

## **1.7 Methodology**

Primary sources of information for the case studies have been official reports and documents including an extensive array of internal administrative documents such as minutes of meetings, correspondence between officials and, drafts of documents. All source information was checked to ensure that it fell within the appropriate provisions of relevant freedom of information legislation and did not infringe privacy legislation. I have applied these criteria to internal 'working documents' as well as official publications and records. The sensitivity and legal status (not likely to be released under Freedom of Information) of much of the primary documentation (eg documents highlighting meeting strategy and tactics to undermine the credibility of opponents) has meant that the

study has only been able to quote the more sanitised documents other than where interviewees discussed such matters.

Between October 1993 and July 1994, 25 people were interviewed using a semi structured interview format. Those interviewed were predominantly senior managers within the Commonwealth and State bureaucracies (14 persons), academics and media commentators (five), one Equal Employment Opportunity (EEO) Coordinator and representatives of groups opposing user charging (five). In the thesis these people are identified by title and number to protect anonymity.

Whilst this thesis is located within the interpretivist/post positivist tradition within policy studies the methodological considerations are approached in a more traditional way through case studies but with some adjustments (primarily the conceptualisation of ideas by levels and arenas and the focus on policy networks) to improve the viewing lens on ideas. Whilst there are a range of methodologies emerging from post positivist writers, eg schema -eg 'laying out' of the arguments (Dunn, 1993) the stories (Forrester, 1993) the rhetorical tropes (Throgmorton, 1993); policy narratives (Kaplan, 1993) or framing (Rein and Schon, 1993) - these accounts tend to be either very abstract or pitched at the micro level with a behaviourist focus which restricts the capacity to focus on policy ideas as the central concepts for analysis. For example, Dunn (1993) develops a method of observing and assessing policy arguments based on a 'transactional model' which is premised on an assumption that knowledge is transacted by negotiating the truth, relevance, and cogency of knowledge claims. (Dunn, 1993: 266). The actual method entails schematically presenting six elements central to making practical inferences. The elements are data, claims, warrant, backing, rebuttal and qualifier.

In contrast to experimental design notation, the structural schema surfaces and raises to a level of explicit consciousness the assumptions and presuppositions that provide rational backing for substantive arguments (Dunn, 1993: 266).

Such specific post positivist methodologies are insufficiently developed or tested to frame the thesis and rather than engage in a



detailed methodological thesis I have adopted the strategy of staying within the more conventional case study paradigm.

The adoption of a case study method brings with it the many criticisms of the case study, such as its reliance on historical/descriptive chronology, and lack of consistency in scope, content and conceptual cohesiveness. As one of the more recent seminal works on the case study method suggested, the question 'what is a case?' is both a taken for granted feature of the social sciences and one that is indeterminate at the same time (Ragin and Becker, 1992: 16). Notwithstanding such ongoing debates the basic strengths of cases are that they are conceptually simple yet capable of great elaboration within a longitudinal frame. Most important of all the case study method allows the process of recording and interpretation of empirical evidence about ideas.

## **1.8 Scope of the Thesis**

The thesis examines the gap in theory and research about ideas (Chapter Two) and then through a series of empirical case studies (Chapters Three - Six) demonstrates how a more concentrated effort on ideas and in particular interpretive processes associated with policy networks will increase understanding of how and why policy happens in ways that conventional approaches cannot reach. The focus is not on developing a taxonomy of ideas but on conceptualising the construction, form and function(s) of ideas as key analytical elements in understanding how and why some ideas come to be more influential than others.

In Chapter Two, I assess the existing contributions to the debate from within policy studies and especially from the emergent 'post positivist' writers who with more of an interpretive approach, tend to posit a more significant role for ideas in accounting for policy activity. I will explore the possibilities of constituting ideas as a central organising concept for the analysis of policy through (1) developing a framework to organise ideas by level and arena; (2) through an analysis of the characteristics of ideas that form potential for influence; (3) through an analysis of the form and function of

policy networks; and, in particular, (4) through a focus on the policy design work of networks. In each of the subsequent case studies I apply and test the analytical robustness of these four features. Whilst the case studies are interesting in themselves, I am more concerned to identify and analyse the characteristics of ideas and mechanisms that shape influence in policy. In Chapter Seven, I analyse the overall findings from the cases to assess the contribution of the thesis to the development of an ideas orientation in policy studies.

## Chapter Two

### Ideas in Policy Studies

The ideas of economists and political philosophers, both when they are right and when they are wrong, are more powerful than is commonly understood. Indeed the world is ruled by little else. Practical men, who believe themselves to be quite exempt from any intellectual influences, are usually slaves of some defunct economist. Madmen in authority, who hear voices in the air, are distilling from some academic scribbler of a few years back.

*John Maynard Keynes (1936: 383)*

#### 2.1 Introduction

In Chapter One I noted bodies of knowledge that inform the theoretical framework of this thesis and in particular interpretive paradigms of policy, the policy networks literature and the policy learning literature. In this Chapter, I assess in more detail the contributions of existing knowledge and research to furthering understanding of the form and function of ideas in policy activity. In Chapter One I consolidated experiences suggesting that three of the central building blocks for an ideas orientation would be a framework for conceptualising ideas by level and arenas, an account of the mechanisms through which ideas are generated and acted upon, and an account of the conditions under which ideas are likely to be more or less influential in policy.

In Section 2.2, I briefly juxtapose an ideas orientation with two contemporary dominant paradigms of policy: a structural paradigm and a decisionist paradigm. I do this to position the thesis within the broader knowledge base of policy studies. In Section 2.3, I canvass the policy studies literature which privileges ideas as a central analytical concept and, in particular, I canvass the post positivist literature and the emphasis on the linking of ideas with networks and with argumentation. I will argue that this knowledge provides signposts towards an account of ideas by levels and by arenas and that there are consistent characteristics of ideas that emerge as potential indicators of strong or weak influence in policy.

There are numerous complex and contested theoretical and epistemological issues that are raised when ideas are promulgated as key influences in policy. In 2.4, I canvass the conceptual demarcation of ideas from values, interests and structures. I demonstrate that ideas are embedded in values, interests and structures and that values, interests and structures manifest ideas. In 2.5, I will argue policy communities and policy networks are the crucial bridge between ideas and actions; they are the site of contestation and struggle over the use of ideas in the shaping of agendas, problems goals and solutions of policy. In 2.6, I assess the policy learning literature and will argue that within this body of knowledge there are important theoretical insights about how ideas change. These insights, especially the differentiation of types of learning and the differentiation of levels of learning can be readily incorporated into my framing of ideas by levels and arenas. Linking learning with the conceptualisation of ideas by levels and arenas within policy networks adds a crucial temporal and dynamic edge to the analysis of ideas. It enables a tracking of the mechanisms through which ideas change and the reasons for change. In Section 2.7, I discuss the complex issue of ideas and causality before developing, and, in 2.8, an analysis of ideas by level and by arena to create a framework to guide the presentation and analysis of the case studies. In Section 2.9, I conclude by advancing a series of statements about the current state of knowledge about ideas and how this knowledge can be conceptualised into a basic schema for understanding the potential for ideas to influence policy activity and outcomes.

This Chapter then frames the case studies through providing a framework for the analysis of ideas by level and by arena, positioning policy networks as the focus of activity about and with ideas, identifying characteristics of ideas that are likely to be indicators of strong or weak influence and, highlighting the important of argumentation and interpretation as constituting the bulk of policy design work in each policy case.

## 2.2 Ideas in Policy Studies

The study of the policy process and policy analysis has a rather eclectic theoretical history which has resulted in a range of ontological and epistemological perspectives. (Lane, 1990) Hughes (1994: 152) states there are as many models of the policy process as there are policy theorists. There are numerous accounts of the genealogy of policy studies (see eg Torgerson, 1992) and I do not propose to canvass them again here. However, it is notable that, as with this thesis, early writers on policy mostly accepted and commenced their analysis with the paradoxes of seeking rationality within the processes of politics. Whether through the contextuality of Lasswell (1970) or the ordinary knowledge of Lindblom and Cohen (1979) the significance of ideas and the interweaving of puzzling and politics were central to their concerns.

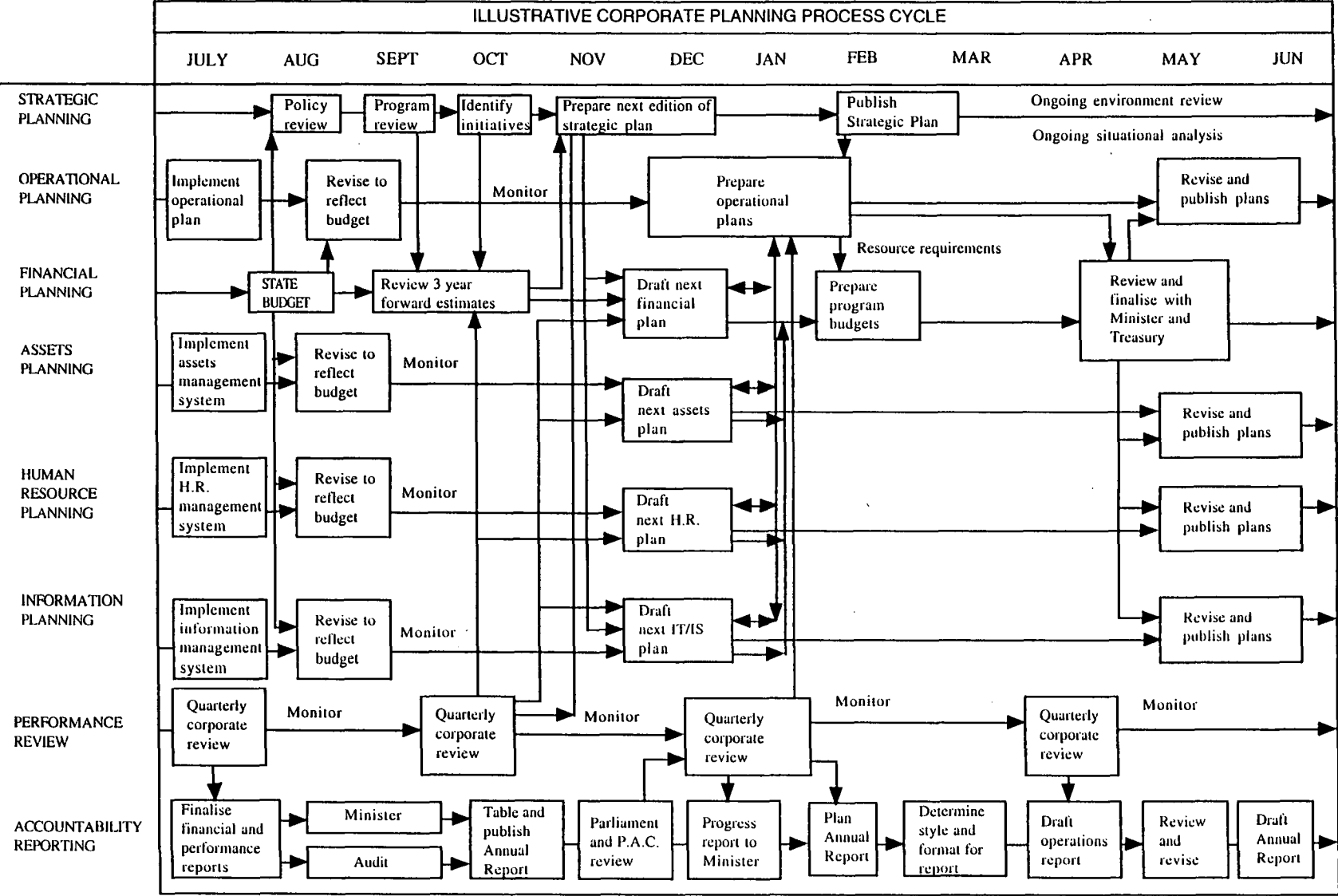
To position this thesis within policy studies I have conceptualised two broad alternative paradigms of policy, a structuralist and a decisionist paradigm. Structuralist accounts of policy basically argue that policy is largely an epiphenomenon of broader structural or demographic events. Inherent in the forms of modern liberal democratic states are relations which largely determine the shape of policy at least at the macro level. There are a range of structuralist accounts with more critical Marxist themes such as Ham and Hill's *The Policy Process in the Modern Capitalist State* (1986). Other authors such as Dunleavy and O'Leary (1987) have approached policy explanation from a state perspective arguing that policy forms follow particular state forms. Castles (1988: 2), for example, argues that

The broad parameters that mark out the policy content of Australian democracy have much in common with those of other capitalist democracies, because they too are shaped by the democratic dialectic of the search for social protection in a capitalist economy.

These structural type paradigms operate at the macro level whereas there is a much more extensive tradition of basically micro level analysis of decision making which constitutes the second broad

paradigm of policy. Works by Dror (1971) and Simon (1957) are in this tradition and more recently public choice writers have added to this paradigm (Dunleavy, 1991; Friedman, 1980; Ostrom, 1973). For authors in this tradition policy analysis and the policy process are both about the application of instrumental rationality and objectivity to governance. The instrumental rationality of much of the contemporary public sector literature (eg Keating, 1995) is illustrated in Figure 2.1, which is from a document entitled 'The Model Agency' (Davis, 1992: 16) and purports to demonstrate the simple micro logic of the policy process.

Figure 2.1 Policy and Planning as Instrumental Rationality



The differentiation between an ideas orientation and these two other central organising concepts in policy - decisions and structures, is outlined in Figure 2.2.

**Figure 2.2**

**Central Organising Concepts in Policy**

	<b>Organising Concept</b>		
	<b>Structures</b>	<b>Decisions</b>	<b>Ideas</b>
<b>Level of Analysis</b>	macro	micro	macro/meso/micro
<b>Focus on inquiry</b>	structures institutions	decisions making	action/structure relations
<b>Styles of explanation</b>	laws	choices	ideas/discourse
<b>Methodology</b>	critical materialist structurally	positivist	interpretive hermeneutic
<b>View of Policy</b>	structurally determined	objective and instrumental	argumentation and meanings
<b>Ontology of the individual</b>	bearer of social relations	rational choice	practical reason
<b>Focus of organisation</b>	society	management unit	policy networks/ communities
<b>Change drivers</b>	crisis/demographic	rational choice	learning
<b>Ideas as</b>	epiphenomenon	inputs	determinants

This paradigmatic juxtaposition brings into sharp relief the analytic distinctiveness that may emerge from an ideas orientation. An ideas orientation bridges levels of analysis precisely because ideas can be abstract (eg the idea of equality) or very concrete (eg the idea of referees for merit selection). Ideas are often embedded in institutions but are grounded in human agency; they are the currency of policy action. An ideas orientation, as with this thesis, would focus the research lens on argumentation and meaning within policy activity, seeking understanding and explanation through the discursive processes within policy networks that constitute the site of policy struggles. The writings of Schaffer (1977), Tribe (1972), and Rein (1976) encapsulate much of this orientation as much of the ordinary



knowledge and practical reason of Lasswell (1970) and Lindblom and Cohen (1979).

Whether one or more ideas orientations develops is yet to be seen but there is here the basis for a way of describing and analysing policy that is theoretically and methodologically different to the dominant paradigms. The fundamental difference between the old and the new is the focus on ideas as central to description and analysis of policy.

### 2.3 Ideas

In this section I focus on those writers within the post positivist orientation that have attributed significance to ideas as key organising concepts of policy activity.

In addition to authors who develop general explanatory categories which includes ideas, there are a number of authors who have specifically taken up an 'ideas perspective' within particular policy sectors and in relation to particular policy cases. Probably the best known of these is Anthony Hall's account of the rise of Keynesian economics. (Hall, 1989) Goldstein (1993) presents the case that American Trade Policy shifts have resulted primarily from shifts in dominant ideas about trade relations. Quirk (1988) challenges orthodox economic theory in explaining deregulation in the United States in the 1970s and 1980s and argues that the 'politics of ideas' provides a framework for explaining policy change. The politics of ideas includes:

. . . the values and attitudes of the mass public; the general ideologies of the attentive public and political elites; the more specific policy and program doctrines of practitioners in each area; and the pertinent theories and research findings of policy analysts and social scientists . . . (Quirk, 1988: 40)

Other authors have developed broader theoretical accounts of policy which have ideas as one of the potential explanatory categories. These authors include Doern and Phidd (1983) who developed an '*ideas - structures - process*' approach; Anthony King (1973) who identified five possible variables, *elites, demands, interest*

*groups, institutions, and ideas*; Richard Simeon (1976) who developed the 'complementary' approaches of *environment, power, institutions, ideas, and processes* and, more recently, Christopher Hood (1994) who has proposed *ideas, interests, habitat and institutional destruction* as potential explanatory categories of economic policy reversal. All these authors acknowledge the interdependence of the potential explanatory categories and raise the basic theoretical question about the conditions under which one or more categories are likely to more or less influential.

However, these authors focus on the macro explanatory level and little time is spent conceptualising ideas. There remains a shortage of case study material at the meso and micro levels and the theorising about ideas as analytic constructs remains underdeveloped. For example, the recent book by Hood, *Explaining Economic Policy Reversals* (1994), develops a general theoretical framework for explaining policy reversal. Hood identifies 'ideas' as one of four general categories of explanation. The other categories are 'interests', 'habitat' and 'institutional self destruction'. Hood describes each as follows:

- . . . policy reversal comes mainly from the force of new *ideas*, which succeed in upsetting the *status quo* in some way (through experimental evidence, logical force or rhetorical power).
- . . . policy reversal comes mainly through the pressure of *interests*, which succeed in achieving changes to suit their purposes.
- . . . policy reversal comes mainly through change in social '*habitat*', which makes old policies obsolete in the face of new conditions.
- . . . policy reversal comes from 'inside', with policies and institutions *destroying themselves* rather than being destroyed from outside. (Hood, 1994: 4)

Hood is primarily concerned to explain a range of cases of apparent 'policy extinction' or policy reversal in the 1980s. Hood concentrates on macro policy cases such as the move from public enterprise to privatisation and the shift from progressive-era public administration to 'new public management'. Much of the significance of the Hood argument to this thesis is the recognition that ideas are a distinct and legitimate category for general

explanation. As he observes, however, it is unlikely that ideas in isolation from the other general categories would ever provide an adequate explanation of any specific policy case. The challenge is to be able to differentiate the influence of ideas in particular circumstances and be able to demonstrate how one or more categories can be claimed to have been dominant. At present theory and research in this area is limited, hence the underdevelopment of important questions about potential patterns of dominance that might emerge.

Ideas matter in policy explanation but the level of theoretical development of the general category is such that ideas are currently a rather blunt explanatory instrument. Hood alludes to the issue in his concluding Chapter where he identifies 'soft' and 'hard' versions of each of his four general categories. So, in relation to ideas

. . . there is a 'hard' version of the power of ideas which sees policy change as springing from the impact of crucial experiments and irrefutable logic. But there is also a 'softer' version seeing policy as shaped by cultural changes or by persuasive arguments and metaphors which fit the times and emerging interests in society, and hence become established as received ideas. (Hood,1994: 150-151)

As Hood notes the 'hard' version is much less plausible than the softer version but the softer version is significantly more entwined with other general explanatory categories. Like most other writers Hood provides very little in the way of a conceptualisation of ideas. They are simply a broad category with one of the few distinctions Hood draws within the general category as being between ideas and their packaging. That is, between an inherent 'scientific' logic of ideas and, the ways in which ideas are used as political resources. It is this latter point that is highlighted by post positivist authors who focus on the discursive processes of policy as being of equal significance to the ideas themselves in understanding policy activity and outcomes. These will be discussed shortly.

Hood concludes that all four dynamics (ideas, interests, habitats, self destruction) are likely to be present in policy extinction and that the mix of factors are likely to vary making it problematical to attribute 'causality' to any one dynamic.

If there is anything in this analysis it would suggest that there is more than one recipe for policy extinction. (149)

The Hood analysis provides further evidence of the renewed interest in theoretical explanation within policy studies using largely modified political science categories and which privilege ideas as an independent analytical category.

### **Keynesian Economic Ideas and Economic Rationalism**

One of the few areas where the influence of specific ideas have been analysed is in relation to economic ideas, especially those of Keynesian economics (Hall, 1989). Through an examination of the various accounts of the influence of Keynesian ideas Hall identifies three approaches to explanation. The economist-centred approach primarily focuses on the role and significance of ideas within economics as a profession.

This approach contains an implicit model of the policy making process that privileges the role of professional economists and stresses the impact of expert advice on policy. (Hall, 1989: 8)

The economist-centred approach that Hall discusses is typical of much of mainstream North American literature about policy analysis in the form of analysis in the policy process. It tends to reify the role of specialists and underplay the role of other groupings within the policy network. It is what Fischer calls the 'politics of expertise' (Fischer, 1990) where the experts play the role of ideas brokers. The second approach Hall identifies is a 'state-centred approach' which suggests that the reception to be accorded new economic ideas will be influenced by the instrumental configuration of the state and its prior experience with related policy (Hall, 1989: 11). In fact the case studies Hall draws upon are not so much concerned with 'state theory' as they are with the more specific role of policy making structured within specific states, especially the role of officials. The final cluster of case studies considered by Hall is classified under the term 'coalition-centred approaches'. Essentially what Hall goes on to describe here are policy communities and

networks (although this language is not employed). He says of the approach:

It emphasises that policies must mobilise support among broad coalitions of economic groups on whose votes and goodwill elected politicians ultimately depend. Hence a nation's readiness to implement Keynesian policies may be said to turn on the ability of its politicians to forge a coalition of social groups large enough to sustain them in office and inclined to regard Keynesian measures as something that is in their interest. (Hall, 1989: 12)

Hall has identified four main reasons why the ideas of Keynesian economics became such a dominant force in many countries. Firstly, the ideas were acceptable to the dominant political parties *vis a vis* assumptions about the role of governments and markets. Secondly, the ideas had become accepted by key 'networks' of academics and practitioners within senior government positions. Thirdly, Keynesian economics offered more than a solution to short term economic problems, it offered an alternative way of thinking about governments and markets, an alternative belief system to socialism. Finally, the belief in government's ability to manage economies was enhanced in those nations that were victorious in the World War II.

Peter Self in 'Government By The Market' (1993) argues that much of the rise of the new institutional economics is linked to the emergence of a new ideology (in part a response to the perceived failures of Keynesian economics) derived largely from academic ideas and transmitted by 'think tanks'.

It is a long haul from academic theories to actual public policies. the academic ideas become simplified, exaggerated or diluted along the way. Modern partisan think tanks provide an important link in this development. The policy intellectuals . . . adapt the original ideas to what they see as political opportunities. The media are enlisted to spread the ideas in the form of simple, often dogmatic assumptions. Bureaucracies are permeated with new policy directions and axioms. A new ideology is created for political consumption. (Self, 1993: 69)

In the language of Hood, Self presents an argument that the set of ideas promoting 'government by the market' emerged in part because of a change of habitat (the failed welfare state and unsustainable growth of inefficient government) combined with a shift in ideas (the lost legitimacy of government combined with the emergence of an alternative set of ideas around public choice and government by the market).

The Self argument is somewhat different to mainstream accounts of policy change in that he specifically highlights the form and function of ideas as important in the change process. Self acknowledges the importance of policy networks in the generation and transmission of ideas and highlights the critical connection between new ideas being accepted and the inability of existing ideas to address contemporary social, economic or political problems.

### **Political and Administrative Ideas**

One of the most explicit accounts of ideas as central organising concepts in policy is that by Stone (1988). Stone identifies 14 constituent ideas of politics and policy. These are organised around goals (equity, efficiency, security, liberty), problems (symbols, numbers, causes, interests, decisions) and solutions (inducements, rules, facts, rights and powers). Stone has been able to construct a model of the polis where traditional defining concepts such as power, self interest and institutions are neither central nor canvassed in much detail. For Stone these features are best considered substantively that is through reference to the ways in which they are manifested in political activity.

Ideas are the very stuff of politics. People fight about ideas, fight for them, and fight against them. Political conflict is never simply over material conditions and choices, but over what is legitimate . . . Moreover people fight *with* ideas as well as without them. (Stone, 1988: 25).

Whilst not discussed in any detail, Stone acknowledges (Stone, 1988: 25) the significance of groups and organisations as the visible 'building blocks' of the polis, the material sites of action. Stone's

focus is on the constituent ideas of policy whilst the focus of this study is framing ideas and, through selected case studies, researching the conditions under which an idea or cluster of ideas is more or less likely to be influential than any other idea or cluster of ideas.

Stone has demonstrated that political ideas can be used to construct an alternative view of the polis, a view based on political rationality and the essentially contestable nature of all problems, goals and solutions. That is, ideas are not simply present in the substantive fields of policy activity but in the construction and activity of policy itself. Others such as Shaffer (1977: 148) have always argued that all the evidence is that policy is engaged and contingent:

. . . it has to be something nearer the political and sociological than the rational and the managerial.

Whilst Stone focuses on ideas at the macro level Hood and Jackson (1991) have provided an account of administrative ideas. Hood and Jackson discuss administrative doctrines, their form and influence. They note that mainstream administrative science is concerned with the link between design and performance whereas an alternative approach would be to focus on the link between argument and acceptance much akin to the postpositivist authors.

Rather than looking only at the objective truth or falsity of administrative doctrines as recipes for better performance, we can treat them as objects of study in themselves, deserving to be carefully mapped and catalogued as a set of available ideas. To look at administrative argument this way is to start from the proposition that the impact of an administrative doctrine is a function of its credibility, not necessarily of its truth. (Hood and Jackson, 1991: 10)

Hood and Jackson distinguish three levels of administrative argument. They use the term *doctrine* to denote specific ideas about what should be done in administration (eg promotion by seniority). They use the term *justification* to denote the reasons for following a particular doctrine (eg efficiency) and the term *philosophy* to denote a constellation of doctrines which is relatively coherent in terms of the justifications offered for them. (Hood and Jackson, 1991: 14-15)

Hood and Jackson identify six 'items' that contribute to the 'acceptance' factor of an argument. These are:

- 1 the achievement of *symmetry* between 'problem' and 'solution'
- 2 the use of *metaphor* to achieve persuasive power
- 3 the use of *ambiguity* to appeal to multiple groups of users
- 4 a concentration on *public benefits* rather than private advantage in the adoption of proposals
- 5 a *selection of arguments* and evidence to fit the desired conclusion
- 6 the *suspension of possible sources of disbelief* in the rhetoricians argument

Hood and Jackson identified a number of reports and reviews and demonstrated that reports/reviews reflecting these items tend to have been accepted whereas reports/reviews with few of these items tended to be rejected. They develop the metaphor of a 'bunch of keys' or combination to fit a lock with the administrative doctrines being the keys and the lock being a particular case requiring action. The combination is the discourse leading to the acceptance factor, the extent to which a particular cluster of doctrines can be shaped to include the six 'items'.

The Hood and Jackson analysis highlights the significance of being able to analytically separate out the nature and role of administrative ideas in policy from other ideas present. Not because administrative ideas are separate from other policy ideas, but because they are interdependent with them, but within that interdependence, exhibit a degree of autonomy. Whilst it has been generally accepted that administrative ideas 'act on' other ideas when they enter the administrative arena, what Hood and Jackson have demonstrated is that administrative ideas can be mapped temporally and assessed as to likely level of significance. If there was comparable research regarding political and sectoral ideas we would be well on the way to a temporal map of the ideas in the policy process.



### Garbage Cans and Policy Streams

The approach to policy activity that gives most attention to ideas is the 'garbage can' approach of Cohen, March and Olsen (1972) and the closely related 'policy streams' approach of Kingdon (1984). Kingdon argues that policy making (especially agenda setting and policy formulation) is best understood as being constituted by three 'streams' which exist relatively independently of each other until, though a policy window of opportunity opening, the streams are coupled in various ways to form policy activity. Kingdon identifies one stream as the inexorable march of problems pressing in on an area (p. 17). These problems can emerge through crisis or disasters or through the mainstream operations of current programs. The problem stream then is about the ways in which events and issues become defined as problems for government to respond to. The policy stream is about the process of a gradual accumulation of knowledge and perspectives among specialists in a given policy area, and the generation of policy proposals by such specialists (p. 18). Thirdly, there is a political stream constituted through the political process of parties, elections, governments and associated governance activity. Kingdon is not only concerned with the institutional aspects but also the processes and ideas within the stream. The problem stream is critical in the determination of agendas, the policy stream in the generation of alternative courses of action, and the political stream in developing appropriate couplings.

The separate streams of problems, policies and politics come together at certain critical times, Solutions become joined to problems, and both of them are joined to favourable political forces. (Kingdon, 1984: 21).

Kingdon locates his primary focus on ideas within the policy stream and contrasts his 'excursions into the world of ideas' with the traditional political science preoccupation with pressure and influence (p. 18). Kingdon uses the metaphor of the primeval soup to describe the environment within policy communities within which ideas emerge.

Much as molecules float around in what biologists call the "primeval soup" before life came into being, so ideas float

around in these communities. Many ideas are possible, much as many molecules would be possible. Ideas become prominent and then fade. (Kingdon, 1984: 123)

and,

Political scientists are accustomed to such concepts as power, influence, pressure and strategy. If we try to understand public policy solely in terms of these concepts, however, we miss a great deal. the content of the ideas themselves, far from being mere smokescreens or rationalizations, are integral parts of the decision making in and around government. (Kingdon, 1984: 131)

As Kingdon recognises (p. 93) the key to whether or not his approach has analytical power is in the extent to which it can demonstrate 'couplings' of the streams in specific policy settings to produce policy. Kingdon argues that a central function of the policy community and policy networks is to 'soften up' others in the community/network to be more receptive to particular ideas.

To some degree, ideas float freely through the primeval policy soup. But their advocates do not allow the process to be completely free-floating. In addition to starting discussion on their proposals, they push their ideas in many forums. These entrepreneurs attempt to "soften up" both policy communities . . . and larger publics, getting them used to new ideas and building acceptance.' (Kingdon, 1984: 134).

Kingdon argues (p. 138) that there are a series of 'criteria for survival' of policy ideas including: technical feasibility; value acceptability; tolerable cost, and receptivity among elected decision makers.

The accounts of ideas given by authors such as Hall, Stone, Hood, and Hood and Jackson, canvass a range of theoretical approaches. However, there are consistent themes in all accounts. Firstly, ideas are central to the analysis and whilst viewed as interdependent with other phenomena they are privileged with a degree of autonomy in the way they can influence thinking and action. This seems particularly true of ideas that are embedded in institutional arrangements and which no longer require frequent

justification. Secondly, ideas have an important temporal dimension, they change over time and it would seem that the policy networks are crucial change agents in this process. Thirdly, ideas have characteristics which seem to make them stronger or weaker in specific historical conjunctures. For example, strong ideas are proximate to the current political, social and economic imperatives and indeed help to define those imperatives.

Some, (eg, Deborah Stone) but not all, of these writers are also increasingly being located (by other writers and commentators) within an emerging body of knowledge loosely described as 'post-positivism'. Since this body of knowledge has a focus on both ideas and the action around and with ideas in policy, it warrants specific analysis.

### **Ideas and Post Positivism**

The key features of post positivism can be summarised as (1) a rejection of positivism; (2) its replacement with an epistemology premised on more interpretive and hermeneutic forms of research; (3) an embracing of normative concerns for democratisation of the policy process and in particular the rejection of expertise based forms of policy analysis; (4) a focus on actor and network based accounts of policy activity played out through discursive, argumentative and rhetorical processes, and (5) a view of the policy process as inherently constituted through and by political rationality. Whilst not all argue for all of these features the main authors in this tradition are North American and include Dryzek (1990), Dunn (1993), Fischer (1991), Fischer and Forrester (1993), Kingdon (1984), Majone (1989), Paris and Reynolds (1983), Reich (1990), Stone (1988).

In Australia, Colebatch (1993, 1995), Considine (1995), Hood and Jackson (1991), and Muetzelfelt (1992) represent the main writers in this tradition. As with most Australian policy studies, these writers tend to place less focus on features (1) critique of positivism, and (2) democratisation, than do their North American counterparts. In this section, I will note each of these four features and their relevance to this thesis. I will argue that, in particular, feature (4) is central to this

thesis, in that it provides the action component of an ideas orientation, whereas the focus on policy networks to date has largely focussed on their structural configuration rather than the day to day activity of producing policy design.

Whilst editorials in the mainstream policy journals are increasingly acknowledging that the importance of contextual, interdisciplinary, problem oriented inquiry has been reasserted (Ascher, 1987: 3) this is not being matched by a commensurate increase in theorising and research and in particular there remains a dearth of case studies (Asher, 1987; Brunner, 1991). Similarly these writers also note that whilst there has been a largely successful academic demolition job on positivism, the framework and practices for the post positivist approach(es) are still unclear. (Ascher, 1987; Brunner, 1991; Torgerson, 1992).

The phrase, post positivism, does not reflect the full range of matters of interest to the writers in this field. It is much more than simply a critique of positivism in that, by essentially embracing an interpretive Weberian tradition, it presents both an ontology of the world and an epistemology grounded primarily in the activity of actors constructing realities. As in Weber, that ontology sees an 'elective affinity' between ideas and material interests and a more complex relationship between understanding and explanation. It attributes centrality to the role of actors and their interpretations of phenomena to create meanings and motivations for action.

Whilst a small but influential group of writers in the social sciences generally (C Wright Mills, 1959; Rein, 1976) were consistently critical of positivism and instrumental rationality, others such as Edelman (1964, 1974) more specifically pre-empted the post positivist orientation by demonstrating the symbolic use of language and the significance of semiotics. Others like Tribe (1972) provided one of the first incisive critiques of the risks of positivism and rationality in policy studies. Much of the recent post positivist critique of policy studies was anticipated by Tribe in an early article in *Philosophy and Public Affairs* (1972) where he succinctly critiqued 'narrowing the role

of rationality', the tendency to argue that matters of value are outside of the scope of rational policy analysis:

As a general proposition, it remains true . . . that the nether regions of values and question-formulation are treated by the policy sciences as beyond the reach of systematic intellectual inquiry, although their importance is rarely denied. (Tribe, 1972: 99)

Anticipating more than 20 years later the development of the 'post positivist' movement Tribe outlined a vision for the policy sciences:

All of these problems appear to point in the general direction of a subtle, more holistic, and more complex style of problem-solving, undoubtedly involving several iterations between problem-formulation and problem-solution and relying at each stage on the careful articulation of a range of interrelated values and constraints through the development of several distinct "perspectives" on a given problem, each couched in an idiom true to its internal structure rather than translated into some "common denominator". (Tribe, 1972: 107)

However, in the rush to parallel the physical sciences positivism (as an epistemology) and rationality (as a view of individual behaviour) combined to promise a 'true' science of policy. The failure to achieve this is now well documented (see for example Hughes, 1994: Ch 6 for a summary). Whilst the 'jester' or the 'illegitimate child of the Simonian revolution' has always been about, since the mid 1980s the post positivist movement has gained momentum.

More recently Dryzek (1990, 1993) describes the mainstream 'scientific' paradigms of policy analysis in terms of instrumental rationality and objectivism. He criticises instrumental rationality for its assumptions of individual capacity to devise, select, and effect good means to clarified ends. He criticises objectivism for the assumptions that rational choices concerning theories and beliefs about matters of fact, and even about values and morals, should and can be made through reference to a set of objective standards that are equally accessible and applicable to all individuals. (Dryzek, 1990: 4) This contrasts with the 'argumentative turn' which

. . . seeks to overturn objectivist and instrumental notions of judgement and action in the name of practical reasoning. The essence of judgement and decision becomes not the automatic application of rules or algorithms but a process of deliberation which weighs beliefs, principles, and actions under conditions of multiple frames for the interpretation and evaluation of the world. (Dryzek, 1993: 214)

For all of these writers and, in particular, Fischer and Forrester (1993), Majone (1989), Dryzek (1990), Diesing (1982), Fischer (1990), Paris and Reynolds (1983) and Dunn (1986), important alternatives to both instrumental rationality and objectivism are various forms of 'discursive democracy', a more active and enlightened polis within which the power of the policy analyst and the power of the corporatist state are balanced by more participatory, negotiated and direct democracy. These writers argue for a return to various forms of political rather than expertise based technical rationality. At this level of analysis much of the policy studies writings begin to merge with broader social theorising in particular the ideas on 'communicative rationality' by Habermas (Dryzek, 1990; Healey, 1993) and structuration (Giddens, 1984).

Most of these writers are explicitly normative in their arguments, something akin to the Minnowbrook School in public administration in the early 1970s. (Marini, 1971) They tend to be egalitarian and emancipatory in outlook seeking empowerment and democratic politics through more discursive and open forms of governance.

For example, the focus of Reich (1990) is primarily on the policy analysts and the role of the policy analyst in contributing towards a more democratic, dialogical society.

A greater challenge is to engage the public in an ongoing dialogue over what problems should be addressed, what is at stake in such decisions, and how to strengthen the public's capacities to deal with similar problems in the future. (Reich, 1990: 6)

Or, Majone

The main task of policy analysis so conceived is not to determine theoretically correct solutions but to raise issues, probe assumptions, stimulate debate, and especially to educate citizens to distinguish between good and bad reasons. (Majone, 1990: 158)

Whilst there is a distinctive strand of post positivism linked to normative concerns for the democratisation of policy analysis and the policy process these concerns are not central to this thesis. However, they do reinforce the problematic nature and consequences of 'objective' accounts of policy and the limits of technocracy.

Majone contrasts two types of policy analysis, the first a form of instrumental rationality which focuses on allocation of resources amongst competing ends. Here the role of policy analysis is to determine the objectives, set out the options, analyse the costs and benefits of each option, and choose the alternative that maximises net benefits. (Majone in Reich, 1990: 157)

Majone contrasts this approach with a concept of rationality based on reasoning and argumentation. This type of rationality

... derives from a different, much older type of rationality as a process of finding acceptable reasons, discovering warrants for one's beliefs or actions. Analysts of this school recognise that public policy is made of language and that argument is central to all stages of the policy process. hence they are less concerned with maximisation than with determining which arguments and assumptions would provide a conceptual basis for a certain policy or assessing the persuasiveness of the evidence that supports a proposal. (Majone in Reich, 157)

Majone argues that advocacy and persuasion are the key to understanding policy analysis and policy making. By persuasion is meant a form of 'mutual learning through discourse' a dialectic process of argument and counter argument until sufficiently shared understanding is reached to 'implement'.

Following Bobrow and Dryzek (1987) I will call this type of activity policy design. Bobrow and Dryzek (201) describe design as 'the

creation of actionable form to promote valued outcomes in a particular context'.

Design . . . pursues values by recommending purposeful activities specific to time and place [and] stresses context sensitivity, the application of tools in pursuit of values, and a special focus on factors open to change by human agents (200).

In this thesis the policy design work is theorised as being located in and central to the work of the policy networks. The capacity of networks to engage successfully in policy design work is not just a feature of their structure (eg. size, organisation form etc) but also the related capacity of individual actors and groups of actors to manufacture argument evidence and persuasion in the policy process. (Majone, 1989) Muetzelfeldt (1992) calls this the superior organising capacity of an idea.

The critique of positivism, the concern for more interpretive methodologies for understanding policy, the importance of argumentation and persuasion in policy, and the policy design work, are all important foundations for this thesis. But most of all it is the emphasis on ideas that provides the distinctive focus for this thesis.

## **2.4 Boundary Issues - Ideas, Values, Interests and Institutions**

A brief excursus into the boundary issues is required to demarcate ideas from related phenomenon to ensure that ideas do not balloon into an all embracing category that consequently loses much of its analytical sharpness. However, I will also argue that many of the historical distinctions between ideas and interests are problematic and that interests are promoted through ideas and ideas are tied up in interests. Thus, for example, I will argue that ideas perceived to entail positive moral status (ie an important characteristic of a value) are more likely to be influential than an idea that is morally benign or which can be perceived to entail negative moral status.

Any sharp separation of ideas from either values or interests is highly problematical. Most ideas have a value component. The



variations have to do with the 'intensity' of the normative elements and the extent to which there is a clear 'ought' attached to an idea. For example the 'ought' component in ideas such as freedom or respect for persons is very high whilst in an idea such as program management planning the 'ought' element is much less apparent. This should immediately alert us to the simple observation that ideas may well have a different status contingent (in part) on the extent to which they can make 'ought' type appeals and be construed more or less as (shared) values.

Parallel to the tendency to conflate ideas into a single amorphous category is the tendency to obscure the relationships between ideas and values and between ideas and interests. Since values and interests are also potential sources of explanatory power it is important in theorising and researching ideas to analyse the boundary issues with values and interests and to critically examine the reasons for differentiation between the concepts. Any comprehensive analysis along these lines is beyond the scope of this thesis given the long and somewhat tortuous history of the study of value and interests in political science, sociology and philosophy, (Gauss, 1990). This is well reflected in the policy literature where meanings and usage of words such as values, beliefs, ideas, attitudes, norms, sentiments, motives, needs etc remain contested and are often used interchangeably. For example, Davis *et al* (1993: 2) describe policy as the 'graphic interplay of values, interests and resources, working through the institutions of the political process, to shape public policy outcomes'.

Values underlie our political behaviour . . . the position taken by various protagonists [are] motivated - or justified - in the language of the rights of citizens, and the obligations of government. Policies embody values and are their expression. (Davis *et al*, 1992: 2)

Davis *et al* (1992) in the space of three paragraphs (pp. 2-3) then use a number of terms interchangeably with values. These include 'ideas', 'preferences', 'beliefs', 'positions' and, 'principle'. Are there differences then between these terms then and, if so, what is the analytical significance?

## Ideas and Values

The values literature is both complex and contested and it would be fair to say that policy studies as a discipline has directed limited attention to theorising in this area (Goodin, 1984, 1988). Over the years there have been a number of attempts to produce a theory of values (Gauss, 1990) but apart from general agreement on the need for more precise value terminology there has been limited areas of agreement. Indeed, the two main theorists in the field, Rokeach (1973) and Kluckhohn (1972) who strove for decades to put values studies on a firm conceptual footing basically concluded they were confronting a chaos (Rescher, 1969: 2). The disputes within the literature focus on terminology, on the meanings of value, on the distinctions between values and related constructs such as beliefs, on links between values and normative systems, on the relationship between values and actions (especially the distinction between 'surface' and 'real' values) and on how values are created and changed. (Gauss, 1990)

One of the more frustrating aspects of policy studies is the frequency of the use of the word 'values' but in a vacuum as if we all agree on the meaning(s) of the word and its policy significance.

Martin Rein defines values as

. . . the normative propositions that affirm what our social policy ought to be, and the normative and moral assumptions that underlie present practice. (Rein, 1976: 38)

Milton Rokeach, the most prolific writer on values, defines a value as

. . . an enduring belief that a specific mode of conduct or end-state of existence is personally or socially preferable to an opposite mode of conduct or end state of existence. A value system is an enduring organisation of beliefs concerning preferable modes of conduct or end-states of existence along a continuum of relative importance' (Rokeach, 1973: 5)

Whilst there are many distinctions drawn between values, beliefs and attitudes, the analysis by Rokeach is useful in that it parallels arguments in this thesis regarding levels of analysis of ideas. Rokeach distinguishes attitudes from values as follows:

An attitude differs from a value in that an attitude refers to an organisation of several beliefs around a specific object or situation. A value on the other hand, refers to a single belief of a very specific kind. (Rokeach, 1973: 18)

For Rokeach the main differences then are that in relation to values attitudes differ in that:

- \* attitudes relate primarily to beliefs about an object, values transcend objects
- \* attitudes include multiple beliefs clustered together
- \* attitudes are usually more temporary than values attitudes are less central to ones make up and cognitive framework
- \* attitude is less directly linked to motivation than value
- \* attitudes are not usually standards, values are people have many attitudes but a more limited number of values

Beliefs fill in this middle ground between values and attitudes. Like attitudes beliefs have a temporal aspect, but unlike attitudes they are more durable over time and represent the clustering of a number of values around a specific object or issue. Beliefs tend to focus at a more general level than values on matters of how things should be organised and how people should act. Beliefs have empirical as well as normative content and hence, in principle, are open to empirical verification. In practice the factual and normative components are so intertwined that the distinction is difficult to maintain. There are some important linkages between values and ideas. In the terms of Rokeach, values equate to foundational constructs such as equity, equality, liberty, security and freedom etc. Beliefs equate in the policy studies literature to political ideas such as federalism and ministerial responsibility administrative ideas such as merit and consultation and, social policy ideas such as horizontal equity and targeting. Attitudes equate in the policy studies literature to ideas applied in specific settings such as whether or not a government should charge entrance fees to a national park or whether concession cards should

be extended to young homeless people in receipt of income support payments from the Commonwealth Government.

What then distinguishes an idea from a value? From the literature three main distinctions can be drawn. First, values have a clear normative and prescriptive component with claims to either deontological (appealing to first order principles) or teleological (appealing to utilitarian type principles) justifications. Ideas on the other hand, do not necessarily contain a normative or prescriptive element. However, the more abstract an idea the more likely the increase in normative content.

Second, values are generally seen to transcend particular individuals and interests such that there is no inherent 'benefit' attached to a particular person or group that promotes a particular value. For example, one can 'value' the right to life without any apparent direct personal gain from it. The more an 'idea' is seen to benefit particular groups the more it is likely to shift towards an 'interests' focus whereas the more an idea is seen to benefit 'all' the more it is likely to have a value component. For example, in principle, social justice would be an idea closer to a 'value' than to an 'interest'. It takes on more of an 'interest' focus when it becomes a resource of particular groups to promote outcomes that do not appear to have the inherent value features of social justice (eg redistribution of wealth).

Third, social values are generally presented in rather enduring, abstract, formal and macro terms such as freedom, equality and the like. Ideas on the other hand tend to have more grounded socio-historical features. They tend to have objects of focus (ideas about something) and tend to contain more than one value. For example, the ideas of social justice incorporate values of equity, rights and justice. Again, as ideas tend to take on enduring, formal, abstract and normative features, they tend to be better characterised as values. This again is primarily an analytical distinction to draw a conceptual boundary between related concepts.

It also follows from this discussion that the macro level of ideas (eg equality, justice and the like) are the most likely location for value features to be present. However, by 'drilling down' through the macro to the meso and micro levels one should, in principle, be able to trace the various skeins of value features within particular policy cases. It would be inappropriate to characterise all case ideas as having a low value content. The value content is likely to vary depending on the particular idea(s). For example, ideas about euthanasia are likely to reflect a high manifest value content whereas ideas about user charging are less likely to do so. Value content is an important characteristic of ideas because value content has the potential to shape influence through the intensity with which people hold values and feel compelled to promote and defend them.

### **Ideas and Interests**

There is a long history within political science of distinguishing between interests and ideas. Indeed, the concept of interests is central to much of the intellectual history of liberalism. (Smith, 1989) I raise the issue here simply to argue that whilst there are differences between interests and ideas in policy work these differences are often problematical in that ideas and interests often merge. Much of the power of discourse in fact comes from the capacity of interests to appear as objective ideas. (Connolly, 1985; Yeatman, 1990)

In policy practices between interests and ideas are not always apparent. Politicians promote 'social justice' as a right but then do little to achieve it, in part because of the electoral consequences of reallocating resources. Social justice may well be an idea that enables people to promote abstract and positive values but also protect short term interests in an environment where the attainment of the ideas would be electorally problematical. A hard and fast distinction between interests and ideas makes limited sense here.

As Pal states

. . . the hoary distinction between "interests" and "ideas" is clearly wrong. people must consider what their interests are, and they do so with the help of ideas . . . When they enter the political process, they must make their claims more explicitly

and systematically, and they therefore assemble policy arguments. But ideas are central to the process at every stage. (Pal, 1992: 217)

Similarly the extent to which ideas are merely a mask for self interest or institutional interests (eg business interests, professional interests) is not the central concern of this thesis. However, by examining the characteristics of ideas and the conditions under which ideas become influential, it may well be that the relationship between ideas and interests is rendered more transparent.

Barry Hindess has argued that whilst there is a long history to careful analytical distinctions being drawn between say, values, interests and desires that

. . . it may be more useful finally to question the importance that is sometimes attached to the drawing of such distinctions. . . . If we are concerned with actors' reasons for action and with what makes it possible for those reasons to be formulated, then it may be more important to concentrate on the discourses available to and employed by them, and on the forms of assessment of conditions and of locating themselves and others in relation to them that those discourses provide. (Hindess, 1985: 130)

Ideas are often used as political resources to promote and defend interests and effectively individuals and groups utilise ideas to constitute their interests. Hindess correctly argues that rather than assume or deny a symbiotic relationship between ideas and interests the focus of inquiry should be clearly on how the promotion of certain ideas may be related to the promotion of interests and whether that promotion can be construed as planned or unplanned.

### **Ideas and Structures**

To talk of an ideas orientation can quickly raise historical images of 'idealist' accounts of policy disconnected from structure. This is not the case for whilst post positivist writers tend to err on the side of actor based accounts of policy, attributing significance to the meaning systems of actors and the organised contests over meaning systems as central determinants of policy, the role of structure is clearly acknowledged. This is reflective of the much earlier (1967)

account of the *social construction of reality* by Berger and Luckman where they argued that there is a dialectical process through which the meanings given by individuals to their world become institutionalised or turned into social structures, and the structures then become part of the meaning systems employed by actors. This, I argue below, is the nature of the relationship between ideas and structure and that what becomes important in analysing ideas in policy work is the extent to which ideas are embedded in institutional forms and the extent to which this entails a likely level of influence independent of other characteristics of the ideas.

The dialectic between ideas and structure can be illustrated through Pusey's account of the rise of economic rationalism in Canberra. (Pusey, 1991) Pusey provides an account of the rise of economic rationalism in terms of the emergence of a new cluster of ideas promulgated through the senior ranks of the Commonwealth Public Service throughout the 1980s. Pusey argues that 'top' public servants in Canberra during the 1980s shared a common background with over 70% having qualifications in economics or business management. He claims that

Along with elected politicians and some types of intellectuals, top public servants are the 'switchmen' of history; when they change their minds the destiny of nations takes a different course. It is for this reason that their disposition and ideas offer . . . such a rewarding route for analysis beyond the surface of public politics and into the logic, the culture . . . of a state apparatus. (Pusey, 1991: 2-3)

The first half of his book reads very much like a classic post positivist account of the significance of ideas and networks in shaping policy. However, in the second half of his book, Pusey provides a post structuralist account of why the ideas emerged. He basically argues that the ideas of economic rationalism were a response to a number of crises of the state and in particular the functional needs of the economy.

It is a changed orientation that carries its own agenda for a reforming state apparatus that must now adapt civil society, culture, and identity to the functional needs of the economy.

That agenda gives a new significance to ideas, to intellectuals and to construction of social needs. (Pusey, 1991: 225)

Pusey ends his analysis with a bleak structuralist view of the economy driving the state

. . . the claim is no longer that the state must 'get out of the way' to enhance the steering capacity of the economy but rather that politics, administration, and all the resources of the state shall be mobilised instead to liquefy, dissolve, and instrumentalise every aspect of the life world . . . which still resists the external logic of 'incentivation' administered from the top down through the internationalisation of totalitarian 'business democracy'. (Pusey, 1991: 241)

Here we have an account of ideas where those ideas are ultimately reduced to the epiphenomenon of the economy which has been constructed through the ideas of economic rationalists responding to international trends. What causes what becomes muddled.

Pusey effectively describes a powerful policy network (although he makes no reference to the policy community/networks literature) at work 'bureau shaping' to regain a lost legitimacy and steer bureaucracy in new directions. His account, like that of Self (1993), demonstrates how the 'right' cluster of ideas were present at the right time to respond to the perceived 'failure' of the post war welfare state to deliver either the social outcomes promised or the sustained economic growth. Yet behind the objectified reality are constituent ideas that enable form to take shape. Shifting the research lens onto those ideas is not to deny the existence of the material world and its importance but to make transparent the ideational foundations.

The ideational foundations of institutions is also a central concern of the new institutionalism which

. . . comprises a rejection of rational-actor models, an interest in institutions as independent variables, a turn toward cognitive and cultural explanations, and an interest in properties of supra individual units of analysis that cannot be reduced to aggregations or direct consequences of individuals' attributes or motives. (Powell and Di Maggio, 1991: 8)



and,

This perspective emphasizes the ways in which action is structured and order made possible by shared systems of rules that both constrain the inclination and capacity of actors to optimize as well as privilege some groups whose interests are secured by prevailing rewards and sanctions. (Powell and Di Maggio, 1991: 11)

The crucial link to ideas is the recognition that institutionalisation is fundamentally a cognitive process whereby normative obligations enter into social life primarily as facts, not norms and values but taken for granted rules and classifications. (Powell and DiMaggio, 1991: 15). Thus, for example, corporate planning and merit are largely 'facts' in the public sector of the 1990s but to view them as ideas is to open up for critical analysis the origins and implications of these 'facts'.

The insight here from the new institutionalism is that the institutional relations of each case are key influences on policy activity and much of this influence is expressed through ideas that have been institutionalised and through new ideas that are being generated. The institutional fit of new ideas thus becomes a crucial determinant of policy outcomes and the likelihood of ideas becoming and staying influential. In this way ideas can remain a distinct conceptual category but take account of institutional influence. In much the same way as the new institutionalism, writers are positing institutions as central organising categories but within a framework of interdependence, I am positing ideas as a central organising category but within a framework of interdependence.

Just as ideas can contain a high normative content so they may be embedded within institutional forms. Embedded ideas may well be explicit in a particular policy case and part of the central discourse. However, institutional forms can influence policy action independent of any overt embracing of the embedded ideas by actors either because the ideas are taken for granted, or because the routines associated with the institutional form are taken for granted, or, both. Until those ideas are made transparent it remains problematical for

them to be the subject of empirical inquiry. It is through the policy community and the specific policy networks around specific policy issues that the contest over ideas is played out.

## **2.5 Policy Communities and Policy Networks**

I claimed in Chapter One that policy communities and policy networks were an important conceptual bridge between ideas and policy activity. I also claimed that policy communities and policy networks could provide a methodological focus for the analysis of ideas since they constituted the sites of argumentation and contest over ideas. In this section, I argue the case for policy communities but more particularly policy networks to be central to the analysis of ideas. Networks are crucial for three reasons. First they identify the sites of argumentation. Second, they group actors in ways that may reflect groupings of ideas, for example, by sector and by administrative ideas. Third, the structural characteristics of networks are important determinants of influence of ideas since the capacity of actors within the networks to construct argumentation is contingent on factors such as the size, scope and maturity of the network. Since this body of knowledge has a number of terminological disputes within it, a brief discussion on terms and meanings is warranted.

For the purposes of this study I will refer to a policy community as the range of aggregated and articulated actors who maintain an ongoing interest and participation in a policy sector. The concept of aggregation identifies the importance of organisation in the policy community whilst the concept of articulation identifies the importance of communication and relationships within the communities. Participation identifies the propensity to act. For the purposes of this study a policy network will refer to those particular actor groupings within the policy community that mobilise around a specific policy issue or case and the ways in which they mobilise. Networks, then, are more active and directional than communities. These working definitions are more reflective of the North American writers than of the British writers who tend to make policy networks the generic category and policy communities the groupings that form around specific cases. (Rhodes and Marsh, 1992)

Pross clearly expresses the differences between communities and networks:

A policy community is that part of a political system that has acquired a dominant voice in determining government decisions in a field of public activity. This is by virtue of its functional responsibilities, its vested interests and its specialized knowledge. . . . It is populated by government agencies, pressure groups, media people and individuals including academics, who have an interest in a particular policy fields and attempt to influence it. Networks are the relationships among the particular sets of actors that forms around an issue of importance to the policy community. (Pross, 1992: 119)

The policy community/policy networks arguments began to consolidate in the late 1970s and early 1980s when both British and North American writers concluded that policy making could be best understood in terms of institutionalised patterns of relationships between key groupings of actors associated with policy domains. Building on the work of Heclo and Wildavsky (1974) these authors argued that policy was not only influenced by but made by

. . . a myriad of interconnecting, interpenetrating organisations. It is the relationships involved in committees, the policy community of departments and groups . . . that perhaps better account for policy outcomes than do examinations of party stances, of manifestos or of parliamentary influence. (Richardson and Jordan, 1979: 43, 53, 74)

The policy communities/policy networks approach was paralleled in the United States by the policy sub-system/sub-government approach of writers such as Milward and Wamsley (1984) and Sabatier (1987). Milward and Wamsley described the essence of the subsystem idea as comprised of a collection of actors seeking to influence the authoritative allocation of values, rewards or deprivations in the name of society, and each has established some degree of hegemony over the policy. Much of the initial impetus of the communities/networks/sub-systems approach has been muted by a series of criticisms regarding the apparent rigidity of the systems/communities, their exclusiveness, an inability to account for change, a failure to account for excluded groups, an inability to

account for state influences, uncertainty over sectoral differentiation of communities and networks, and a lack of analytic capacity. (Rhodes and Marsh, 1992; Atkinson and Coleman, 1989) Whilst these criticisms have been addressed by latter writers (Pross, 1992; Jordan 1990) and whilst some post positivist have developed the connection between ideas and policy communities/networks (Kingdon, 1984), in general the relevance of the policy communities/networks literature to post positivism has not been theorised or researched in any detail.

Unlike traditional pluralist approaches which tended to view interest groups as primarily advocates responding and advocating to bureaucratic and political institutions the policy communities/networks approach adopts a more lateral and corporatist view. Governments and bureaucratic groupings become central components of the communities and networks. Policy power is often shared within the community/network and the hierarchical assumptions of traditional pluralist approaches have been replaced with more iterative and negotiated styles of interaction. The focus is very much on interaction, on the relations within and between communities and networks. All of this creates a very complex and fluid view of the policy process, multiple actors in complex and subtle networks with diffuse and ever changing levels of interest and power in relation to specific issues.

Of particular concern in this thesis are the arguments within the policy communities/policy networks literature regarding the conditions under which networks are likely to be influential in policy. One of the most detailed accounts is by Pross (1992). Pross approaches policy networks with a concern to establish the features that enhance influence in the policy process. He identifies two types of characteristics, politically salient group characteristics, and the policy capacity of groups. By politically salient group characteristics Pross means those characteristics that generate influence but not arise from a self conscious effort to exert influence. For example, membership size and the economic power of the members are most important here. For Pross policy capacity has three components, a *strategic* component, the extent of *knowledge* of the substantive

matters involved in the policy debate, and an ability to *mobilise* those group resources that confer influence. (Pross, 1992: 102)

The glue that bonds the group characteristics and the policy capacity into degrees of influence is institutionalisation, defined by Pross as a process through which an organisation acquires a system of values and becomes an institution, a responsive adaptive organism that is peculiarly competent to do a particular kind of work. (Pross, 1992: 95) For Pross, institutionalisation is primarily about the consolidation and routinisation of group dynamics rather than about the groups integration into the institutional framework of the polis. It is about institutionalisation *within* the group more than institutionalisation *of* the group or the interface *between* the group and the broader institutional arrangements in society.

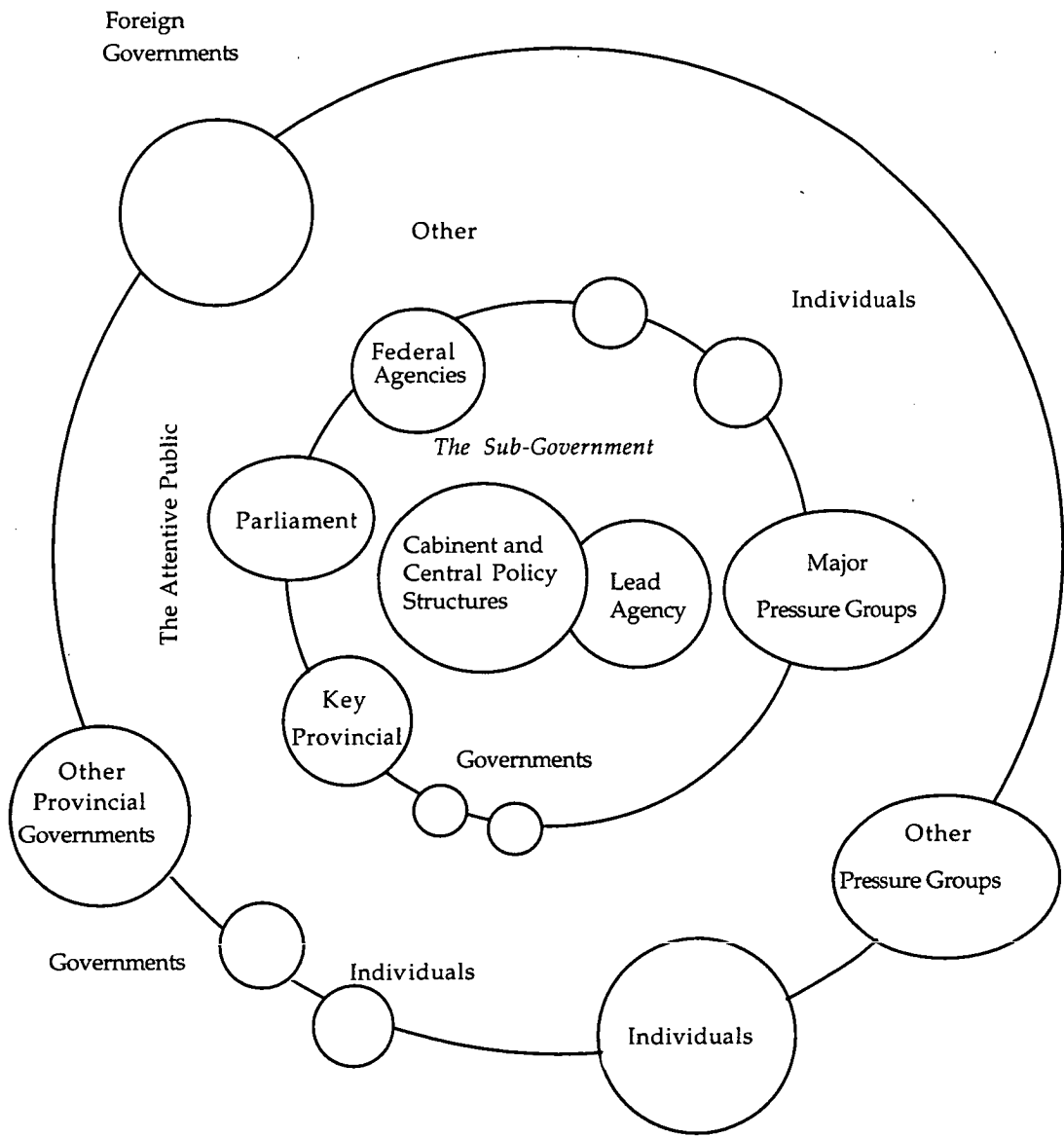
Pross then argues that organised groups can be categorised by level of institutionalisation. The least organised are *nascent* groups who have no previously established organisational framework to offer members and no institutionalised values. They tend to be organised through charismatic leaders and have little access to traditional policy forums. *Fledgling* groups have shifted away from spontaneous action and are working towards an organisational orientation with group rules and values emerging. *Mature* groups have organisational complexity and routine access to the policy agendas. They have routinised operations with professional staffing. Fully *institutionalised* groups tend to have a high degree of political salience, are articulate and capable of immediate mobilisation. They are strategic and dominant in their respective fields and have formal relationships with other institutionalised groupings in their domain. As Pross acknowledges, there is a close relationship between policy capacity and institutionalisation with high institutionalisation generally correlating with high policy capacity.

Most policy communities consist of two segments, the sub government, and the attentive public. The sub-government is the actual policy making body of each community and consists mainly of the relevant government agencies - including transient but significant central agency officials (Homesshaw, 1995) and,

institutionalised interest groups. They have the main resources and formal relations between each other. They make the day-to-day decisions in the policy field and have institutionalised compromise. The attentive public is much less tightly knit or defined with groups moving in and out of the community and closer or further away from the sub government. The attentive public is predominantly made up of those individuals and groups who are affected by and/or interested in a particular domain and who want to influence policy. It includes academics, consultants and journalists. (Pross, 1992: 121)

Pross represents a typical policy Community in Figure 2.3

Figure 2.3  
A Typical Policy Community



The location of the spheres is thus important (representing level of involvement and authority) as is the size of the spheres (representing the degree of aggregation and articulation of the groups). This approach also lends itself to temporal mapping which I will attempt in the case studies. That is, the positioning of groups over time (within specific policy cases) may illustrate likely levels of influence of particular ideas associated with groups.

The concern in this thesis is to incorporate into reasoning about policy communities and networks more of an emphasis on ideas as a central organising category. This would entail more focus on the form and function of *ideas*, of *argumentation*, of *temporal positioning*, *policy learning* and *inter community/network exchanges*.

Ideas are central to the analysis. The focus is on the exchange relationship between ideas and the policy communities and networks. That is, the extent to which the ideas shape the network group characteristics, policy capacity and institutionalisation on the one hand, and the extent to which these features shape and reshape ideas. In particular, the focus would be on the ways in which the salient characteristics of the central ideas impacted on the group characteristics and policy capacity.

Whilst Kingdon has a rather narrow view of the policy community as a community of specialists, he also attributes importance to the communities as the mechanisms through which ideas are generated, 'softened up' and ultimately selected or rejected. Kingdon identifies four criteria for survival of ideas in policy communities, technical feasibility, value acceptability within the policy community, tolerable cost, anticipated public acquiescence, and a reasonable chance of public receptivity among elected decision makers. (Kingdon, 1984: 138) Kingdon argues that within the policy community policy entrepreneurs 'soften up' the community to be receptive to new ideas. The policy community produces a 'short' list of ideas which are diffused through the community and made ready as possible solutions to problems.



The policy communities/policy networks literature tends to give prominence to structural factors and group dynamics as the key determinants of influence whereas the post positivist writers tend to give prominence to the processes of argumentation within and between the networks. Thus, for example, where articulation is simply one characteristic of policy capacity for Pross, for post positivist writers it would be elevated to a more significant role. The focus would shift from capacity to articulate, to capacity to interpret, and construct meaning systems that frame debates and maximise the positioning over time of group influence.

There is more emphasis on *temporal positioning* and *learning* about policy and in particular the capacity of groups over time to shape the processes of problem identification and agenda setting.

The central concept of policy communities being organised around functional policy domains would need to be modified to take account of the range of policy communities and networks that actors and organisations may be associated with. For example, most bureaucrats are part of an administration network as well as part of a functional policy community associated with their respective portfolios. The ways in which ideas permeate between communities and networks would be central to the analysis.

As authors like Atkinson and Coleman (1992) argue, the policy community/policy network approach begins to form a new methodology for understanding the policy process. In doing so, it has the potential to 'transcend' rather than reproduce the boundaries set by academic disciplines. (Atkinson and Coleman, 1992: 176) Whilst the claim to constitute a fully fledged formal methodology may be a little premature, there is certainly sufficient here to begin viewing policy through a different lens. It is also a lens that enables a viewing of ideas at work and potentially can link the influence of ideas with related interdependent influences such as the policy capacity of the network groups and broader institutional influences. The policy community and, more specifically, policy networks provide a lens on the sites of argumentation over and with ideas. They are the primary mechanisms through which ideas take form and become objectified.

They thus form a crucial bridge between ideas and actions. The temporal aspect to policy networks enables changes to ideas to be tracked over time, changes that may well come about through policy learning.

## **2.6 Learning In and About Policy**

Crucial to any claims about the significance of ideas in the policy process is an account of how ideas enter the process and how they change over time. Much of the policy learning literature attributes centrality to the role of ideas in policy. Indeed a number of the authors now researching the policy learning field are also prominent in the ideas literature, in particular Hall (1989, 1993) Sabatier (1987, 1988 (a), and 1991 (b)) May (1992) and Goldstein (1993).

The policy learning literature is important to this thesis for a number of reasons. First the thesis conceptualisation of ideas into levels aligns with a number of writers on learning who identify levels or orders of learning. This becomes significant once the policy learning lens is shifted to one of the objects of learning, ideas. Second, the extent and quality of policy learning along with a capacity to sustain and act on learning, will be determinants of the influence level of ideas over time.

### **Learning and Levels**

Much of the policy learning literature has a behaviourist and individual quality about it and this is represented in Sabatier's view of policy learning as being about improving one's understanding of the state of variables defined as important by one's belief system, redefining one's understanding of logical and causal relationships internal to a belief system, and identifying and responding to challenges to one's belief system. (Sabatier, 1987: 672 - 674)

Accounts of learning that begin with broader societal issues or with the power of public ideas tend to include slightly different accounts of the forms and prospects for learning. Many of the emerging ideas in public policy appear to be the outcome of macro

policy learning. For example, the idea of the 'social market' suggested by Emy (1993) can be viewed as the outcome of macro policy learning as two 'core policy' ideas collide, one based on beliefs about public choice and markets, the other based on beliefs about democracy accountability and social responsibility. Indeed Emy argues that as the 'habitat' of Australia changed and the centrality of the market emerged as an idea, Labor nationally required

. . . a new synthesis of ideas which retained the centrality of the market . . . but which placed the market in a conceptual framework which gave a greater importance both to the state and to other social and moral values. (Emy, 1993: 201)

Again, this is a case of ideas emerging not so much prior to or as a consequence of, but parallel with social, economic and political change. Associated with the idea of the social market are a whole set of more specific ideas currently subject to learning processes. These include for example the ideas of social corporatism, co-determination, subsidiarity and citizenship. (Emy, 1993: 212 - 213)

Whilst at this macro level there is a process of mutual learning going on to reconcile ideas about a new relationship between markets and governments and communities, a similar process is beginning to emerge at the meso level. The emergent ideas about new forms of public management (Yeatman, 1994; Hughes, 1994) and, in particular new ideas about 'interactive' models of strategic planning (Davis and Weller, 1993) are all signposts reflecting emerging new practices and administrative doctrines.

May (1992) Hall (1993) and Sabatier (1987) have all utilised the concept of 'levels' to frame learning. Sabatier develops a 'structure of belief systems of policy elites' as a framework against which to measure changes in different types of beliefs. His structure has three main ontologies, a deep core of fundamental normative and ontological axioms which define a person's underlying personal philosophy, a near (policy) core of basic strategies and policy positions for achieving deep core beliefs, and a set of secondary aspects comprising a multitude of instrumental decisions and information

searches necessary to implement the policy core in the specific policy area. (Sabatier, 1987: 666)

May (1992) has expanded the concept of policy learning which he describes as 'elusive'. (May, 1992: 331) He conceptualises two general categories of learning, *policy learning* and *political learning*. Within the policy learning category May distinguishes between *instrumental learning* and *social learning*. Instrumental policy learning entails learning about the viability of policy instruments or implementation designs. Social policy learning entails lessons about the social construction of policy problems, the scope of policy, or policy goals. Political learning entails lessons about policy processes and prospects. (May, 1992: 332) This conceptualisation is important for this thesis in that it can be aligned to levels of ideas. This may enable an account of learning that is able to distinguish between the levels of learning that may take place. Figure 2.4 presents May's account of policy and political learning.

Figure 2.4

## Policy and Political Learning

	<i>Policy Learning</i>		<i>Political Learning</i>
	<i>Instrumental</i>	<i>Social</i>	
Entails learning about:	Viability of policy interventions or implementation designs.	Social construction of a policy or problem	Strategy for advocating a given policy idea or problem.
Foci:	Policy instruments or implementation designs.	Policy problem, scope of policy, or policy goals.	Political feasibility and policy process.
May lead to:	Understanding of source of policy failure, or improved policy performance in reaching existing goals.	Changed expectations concerning existing goals.	More sophisticated advocacy of a policy idea or problem.
Requisite conditions:	Improved understanding of policy instruments or implementation based in experience or formal evaluation.	Improved understanding or alternation of dominant causal beliefs about a policy problem or solution within the relevant policy domain.	Awareness of political prospects and factors that affect them.
Prima Facie Indicators:	Policy redesign entailing change in instruments for carrying out the policy - e.g., inducements, penalties, assistance, funding, timing of implementation, organisational structures.	Policy redefinition entailing change in policy goals or scope - e.g., policy direction, target groups, rights bestowed by the policy.	Policy advocates change in political strategy - e.g., shifting arenas, offering new arguments, employing new tactics for calling attention to a problem or idea.
Potentially confused with:	Superstitious learning involving presumed superiority of a given instrument; mimicking behaviour.	Policy redefinition unrelated to change in dominant causal beliefs within a policy domain.	Haphazard change in political strategy, unrelated to understanding of political dynamics.
Requires evidence of:	Increased understanding of policy instruments or implementation.	Change in dominant casual beliefs within the relevant policy domain.	Awareness of relationship between political strategy and political feasibility within a given advocacy coalition.

Hall (1993) has produced an account of 'social learning' which focuses on the role of ideas in policy learning.

Unlike the psychologically oriented versions of learning theory . . . and the procedurally oriented versions presented by organisation theorists, the concept of social learning presented by Heclo and taken up by theorists of the state emphasizes the role of ideas in policy making. But those who use the concept have yet to develop an overarching image of the way in which ideas fit into the policy process or a clear conception of how those ideas might change. (Hall, 1993: 276)

Hall develops three conceptual building blocks to address these concerns. First, the concept of a policy paradigm within which learning takes place. Drawing on Kuhn (1970) on paradigm shifts, Hall defines a policy paradigm as an interpretive framework of ideas and standards that specifies not only the goals of policy and the kinds of instruments that can be used to attain them, but also the very nature of the problems they are meant to be addressing (Hall, 1993: 279). Second, Hall identifies three kinds of policy change. First and second order change are cases of normal policy making where mainly the instruments and some minor objectives and strategies whilst retaining the integrity of the overall goals. Third order exchange is where there is a 'paradigm' shift marked by significant disjunctures in policy goals and instruments, changes in authoritative relations and terms of discourse. These levels of learning parallel Sabatier's secondary belief systems. Third order learning involves a fundamental paradigm shift along the lines of Kuhn's account of changes in scientific paradigms. This level of learning parallels Sabatier's deep normative core.

If a distinguishing feature of influential ideas is the capacity of (advocating) actors to be constantly learning such that a comparative advantage is maintained over learning associated with alternative ideas then learning as an object of inquiry takes on a new importance. That importance relates to the type and extent of learning associated within and between levels and arenas of ideas and I return to the connections between learning and levels of ideas in 2.7.

## Learning and Networks

The focus in this thesis on the role of policy networks in relation to the construction and promulgation of ideas is paralleled in much of the learning literature by a focus on policy networks as the site and source of learning. In particular, Sabatier (1987, 1988 (a) & (b), 1991) develops a perspective on policy oriented learning which locates the site and source of learning within policy sub-systems and, within those sub-systems, through the activity of (competing) advocacy coalitions.

Sabatier defines the policy sub-system as those actors from a variety of public and private organisations who are actively concerned with a policy problem or issue. (Sabatier, 1987: 652) Sabatier defines an advocacy coalition as

. . . the people from a variety of positions (elected and agency officials, interest group leaders, researchers) who share a particular belief system - ie., a set of basic values, causal assumptions, and problem perceptions - and who show a non trivial degree of coordinated activity over time. (Sabatier, 1987: 660).

Essentially Sabatier's policy sub-system is what most authors would describe as a policy community and his advocacy coalitions are policy networks (eg Pross, 1986).

Rose (in a linguistic style more reminiscent of Christopher Hood) develops the concept of 'fungibility', basically the capacity of a program or idea to be transferred across time and space with minimal difficulty. On the basis of the study Rose develops seven hypotheses about fungibility.

1. The fewer the elements of uniqueness the more fungible a program
2. The more substitutable the institutions of program delivery the more fungible a program
3. The greater the equivalence of resources between governments the more fungible a program is

4. The simpler the cause and effect structure of a program the more fungible it is
  5. The smaller the scale of change resulting from the adoption of a program, the more fungible a program
  6. The greater the interdependence between programs undertaken in different jurisdictions, the more fungible the impact of the program
  7. The greater the congruity between the values of policy-makers and a program's values, the greater its fungibility
- (Rose, 1993: 120-141)

The policy learning literature provides a series of insights into how ideas change over time and the conditions under which ideas may be transferred across time and space. The literature also introduces levels of learning although the relationships between levels is not yet well developed and, in particular, issues about how and why first and second order type learning is associated with more fundamental learning shifts.

In this thesis the primary unit of analysis is one of the objects of learning, ideas. This contrasts with much of the policy learning literature where the primary units of analysis are more usually either the subjects of learning (eg the policy elites) or the institutional sites of learning (eg policy domains, policy sub-systems). By locating learning in the broader context of the temporal blend of ideas present (and therefore, for example, addressing cross sub-system issues) the relationships between levels of learning and levels of ideas will become more transparent and I explore these possibilities through each of the case studies before returning to the linkages between ideas and learning in Chapter Seven.

## **2.7 Levels and Arenas**

A persistent concern in policy studies and indeed in the social sciences generally has been the need to link levels of analysis in explanation. In particular, this has presented problems for structuralist accounts which tend to provide useful macro accounts of the forces shaping policy but seem unable to demonstrate the efficacy



of their arguments at the level of meso and micro cases. Similarly, actor-centred accounts of policy have difficulty explaining phenomenon such as the state and there has been more than the odd attempt to define the state away to overcome the 'problem'. (Dunleavy and O'Leary, 1987) Decisionist accounts tend to focus on micro level explanations of policy and miss much of the structural and cultural influences at the organisational (meso) and societal (macro) levels. (Lane, 1990)

This potential to move between levels of analysis has not been an empirical or theoretical focus of the post positivist literature to date. For example, Stone's (1988) insightful analysis of the constituent ideas of the polis demonstrates nicely the myriad paradoxical ideas present but mainly at the macro level. This type of analysis would be enhanced by being able to demonstrate how, for example, the formal goals of equity, efficiency, security and liberty she discusses are manifested in specific cases or, as Stone (1988: 106) puts it, the specific mechanisms through which 'strategic representation' occurs.

One of the most comprehensive theoretical and research based analysis of ideas has been by the Canadian authors Doern and Phidd (1983). The recent work by Pal (1992) draws on Doern and Phidd and will be discussed shortly. Doern and Phidd argue that the first pre-eminent task of policy analysis is to penetrate the rhetoric of policy and politics to examine the underlying ideas. Their basic argument is that public policy is best viewed as an interplay among ideas, structures and processes in which the direction of causality operates both ways, from society and economy, to politics and government and vice versa (560).

Doern and Phidd discuss ideas at three levels, ideologies, dominant ideas and, objectives.

Ideologies encompass the broadest level of normative public policy content. An ideology is an umbrella of belief and action that helps provide political and social identity to its adherents and that serves to integrate and coordinate their views and actions on a range of political issues. (Doern and Phidd, 1983: 50)

They identify three broad ideologies, liberalism, conservatism and socialism. Liberalism they see as centred on the individual making free choices about preferences in an open market. Based in private property rights and a limited guiding role for government liberalism puts great faith in scientific and technological progress. Conservatism is described as a belief in the need to preserve valued and proven traditions in the context of a paternal role for government. Socialism contrasts with both liberalism and conservatism according to Doern and Phidd in that the focus is on the collectivity and not the individual. There is a much more active role for government in achieving redistribution of wealth in society and in shaping societal norms and directions. (Doern and Phidd, 1983: 52).

As with ideas there is a central problem in allocating a direct causation to ideology in the context of policy activity. There are both ontological and epistemological problems here. In part the problem is about identifying the constituent components of any particular ideology and in part the problem is demonstrating that in any specific case the knowledge 'applied' to the shaping of policy was somehow 'independently' generated through a process called ideology.

Doern and Phidd refer to the second level of normative content as dominant ideas and identify these (p.54) in the Canadian context as

- \* efficiency
- \* individual liberty
- \* stability (of income and other desired conditions)
- \* redistribution and equality
- \* equity
- \* national identity, unity and integration and
- \* regional diversity

They argue that the main characteristics of these dominant ideas are that they are enduring, desirable and potentially in conflict. In a sense Doern and Phidd have converted politics as the authoritative allocation of values to politics as the authoritative allocation of dominant ideas. (Doern and Phidd, 1983: 57) The second

type of policy ideas are 'paradigms' and are described as dominant ideas applied in a particular policy field. For example Keynesian economics was a dominant economic paradigm from the 1940s to the 1970s and arguably continues. (Hall, 1993)

Finally Doern and Phidd identify 'specific objectives' as the lowest level of ideas. Specific objectives refer to courses of action within a policy field for example lowering inflation or reducing unemployment by a specific amount.

Another Canadian, Pal, has taken up the Doern and Phidd approach and developed three levels of ideas that influence the way people think about and act within policy.

The first category contains the basic assumptions about human behaviour, the second involves the goals or ends we strive to reach and the third contains the ideas, the theories, or frameworks that apply to a specific policy area. (Pal, 1992: 210).

Rather than ideology Pal talks about two basic views of human behaviour, one linked to Hobbes and one to Rousseau. (211)

The first sees human beings as flawed, self interested, grasping, and essentially asocial. The second assumes that people are basically kind, sincere and altruistic.(211)

From these caricatures Pal argues that basic orientations to public policy emerge. As Pal notes, the two orientations do not always lead to consistent policy views. For example, advocates of free markets frequently seek tight controls elsewhere. At the second level of ideas Pal identifies 'policy goals' which, drawing on the work of Stone (1988), he refers to as 'the proper ends of public policy' namely equality, efficiency, security and liberty. (213) At his third and most 'micro' level Pal identifies 'policy specific' ideas which he refers to as the key policy relevant concepts and theories that drive a particular policy field. In Australia, for example, one could argue that the 'wage earners welfare state' (Castles 1988) has driven much of the social and in particular income security policy on the post war era. For Pal these policy specific ideas can be more or less sophisticated or more or less pragmatic.

For these authors the problem seems to be in their capacity to link their conceptual analysis to research. At best their research moves to the level of policy fields (eg Doern and Phidd (1983), Pal (1982) and Stone (1988)) but rarely into the microcosm of policy cases. Where cases are discussed they tend to be discussed as paradigms of the field and without a grounding in the policy networks within a specific case. Whilst the authors are able to demonstrate the power of public ideas and illustrate connections between the macro and the meso, they lack the analytical tools to show how ideas are actually deconstructed and managed in each policy setting.

Various policy writers have also discussed three levels of analysis and noted the neglected research within the meso level. For example, Katznelson (1985) identifies three 'planes of meaning' within social policy, the first plane being about the appropriate balance between governments and markets, between the public and the private. The second plane is about 'different axis of selection' that is the way in which particular welfare states choose to give meaning to ideas such as citizenship and efficiency from the first plane. This second level includes the discourse over broad objectives such as universal or selective forms of social provision.

. . . this second level is much the most important for our purposes, because the precise mix of these elements in a given welfare state at a specific historical moment constitutes what might be called the policy regime that defines the boundary between what is possible and what is not. . . . (Katznelson, 1985: 518)

The third level includes the discourse around the specific policy instruments within particular policy areas for example the choices between cash payments or vouchers in social policy. It is about the micro politics of organisations, programs and client interactions. Whilst there is considerable theory about the first plane and extensive research about the third there is a lack of theory or research about the second plane especially theory or research that would link the first and the third planes.

A number of Australian authors have reached similar conclusions in relation to where the effort of research and theorising should be directed. For example, Beilharz, Considine and Watts recently concluded that, in relation to the Australian welfare state,

If our study suggests something of a new theory of the welfare state, its novelty resides in an orientation towards recognising the contingency of outcomes and the significance of particular types of actors and their arguments in shaping agendas. (Beilharz, Considine and Watts, 1992: 156)

The empirical focus of this thesis is largely within the meso and micro levels of analysis. Analysing the production of and argumentation with and about ideas may provide an insight into the 'conversion' of abstract and formal ideas into specific and substantive policy ideas activity. That is, it may assist in understanding links between the levels of analysis.

### **Framing Ideas by Level and by Arena**

I noted earlier the paucity of theoretical frameworks about ideas and the lack of methodologies with which to research ideas. To provide some initial framing for identifying and analysing ideas and, pulling together the ideas canvassed in this chapter, I propose a framework for organising ideas along two intersecting axis. One axis consists of *arenas of ideas* and the other consists of *levels of ideas*.

Three arenas are conceptualised, the *political arena*, the *administrative arena* and, *substantive policy arenas*. This latter arena is constituted through a number of specific policy sectors, for example, social policy, economic policy, and their subsets such as health policy or trade policy. I will research the extent to which ideas in policy activity emerge from the three arenas. This initial classificatory activity is of analytical significance for the thesis in that it enables exploration of differences between the ideas between arenas and between sectors within the substantive policy arena. One example of the differentiation would be:

Figure 2.5

## Ideas and Arenas

Substantive Policy Arenas eg. the social policy sector	Political Arena	Administrative Arena
eg. the idea of need	eg. the idea of governments targetting services on the basis of locational disadvantage	eligibility assessment using health care cards
or,		
eg. the idea of need	eg. the idea of governments managing public housing	queueing systems for housing allocations

Political ideas have been extensively canvassed in the literature and most authors who write on ideas concentrate on this level. (Stone, 1988) Abstract political ideas include liberty, equality, freedom and the like. In addition to these abstract and formal ideas derived from liberal political philosophy there are other more specific political ideas relevant to particular countries and jurisdictions. For example in Australia the ideas and institutions of federalism are critical to understanding public policy in Australia (Chapman, 1992), and, as this thesis will demonstrate through the case studies, political ideas are often paramount in shaping policy agendas, goals and solutions. Political ideas also include those ideas about the nature and scope of government activity as well as ideas about the maintenance of authority and influence, for example, through the idea of the 'electability' component of each policy activity.

The literature on administrative ideas is much more sparse although some of the most significant and recent writings have been Australian, in particular, the work of Hood and Jackson (1991), Pusey (1991), Painter (1987, 1990) and Considine (1995). Administrative ideas vary considerably in scope and importance. There are administrative ideas about organisational forms (eg the department and the program) about ways of managing (eg managerialism or the new public management), about selection and recruitment processes (eg merit) and about process (eg the dot point memo format).

Administrative ideas are central to policy largely because in most policy cases the policy network will include one or more administrative groupings (eg functional line agency specialists plus central agency officials) with varying degrees of influence in the process. More specifically the administrative ideas themselves may be fundamental determinants of the shape of particular policies. The potential influence of administrative ideas has been enhanced in recent years by a number of factors including the shift from a process focus to an outcomes focus or what Offe (1985) describes as the shift from 'conjunctural' to 'structural' rationality. That is, the ideas that previously guided administrative behaviour increasingly become resources to assist bureaucrats in 'bureau shaping'. (Dunleavy, 1991) In this sense, for example, the idea of the program can be invoked to include or exclude items from the policy agenda contingent on whether or not the issue 'fits' the program structure. Administrative ideas are not simply benign or instrumental they are central to the construction of meanings and influence in the policy process.

Fischer (1990) argues that core administrative ideas such as 'componential thinking' are a manifestation of the technical and 'value-neutral' reasoning that has dominated the social sciences. Componential ideas, for example, are those which attempt to disaggregate problems and services into specific components thus reducing complexity and making them more controllable and efficient. The most common example of this is the program format which dominates contemporary public sector management.

The third arena of ideas is within particular policy sectors. These sectors are quite difficult to succinctly define and sectors overlap with other concepts such as functional areas, industries, disciplines and fields of activity. My concern here is to simply distil those ideas that primarily emanate from specific bodies of knowledge and practices related to areas of public sector practices. For example, social policy has a distinctive historical body of knowledge with a plethora of (contested) ideas that regularly emerge in substantive social policies for example in relation to housing, community welfare or income support. At the most abstract level, for example, social policy ideas include equity, universality, selectivity, needs, targeting,

volunteerism, participation, levels of intervention- primary-secondary-tertiary, community, dependency, charity, vulnerability, self reliance, community development etc. Contingent on the prevailing ideology some clusters of ideas will be more dominant than others. For example, in the 1990s earlier discourses about universal benefits based on need have been replaced by discourses about targeted benefits based on effort and contribution. Discourses on governments providing services have been replaced by discourses on self reliance and family responsibilities.

From these sectoral ideas emerge the basic policy discourses and policy manifestations about problems goals and solutions. For example, the policy idea of concessions to be discussed in Chapter Five draws upon a range of sectoral ideas about need, compensation for prior harm, targeting, rationing, vulnerability and contribution. The mix of sectoral ideas present in a particular policy case should provide one of the first indicators of the likely level of influence of the idea. For example, where an idea is underpinned by multiple, complex and contested sectoral ideas, and where the link between the problem and the solution is tenuous, that idea is less likely to be influential.

There are important arguments regarding the extent to which particular policy sectors may have specific forms as sectors that shape policy. For example, Lowi has developed a four part typology of public policy based essentially on the view that policy types vary according to the degree of directness of the exercising of legitimate coercion by the state. (Lowi, 1964) The four types of policy Lowi identifies are constituent, distributive, redistributive and regulatory policies. The claim is that each generates a different kind of politics and therefore a different policy process hence Lowi's claim that it is policy that determines politics and not the other way around. Again, it is the differential nature of ideas within policy sectors that lead to Lowi's claim. Whilst the issue of the potential differential nature of the characteristics of ideas between sectors is beyond the scope of this thesis it is an important issue for further research as it fundamentally effects the comparative reliability of any research findings.



The framing of ideas by arenas is primarily an initial organising tool for the thesis, a method of distilling the myriad of ideas likely to be present in any particular policy case. However, the framing has the potential to do much more than simply organise. I will also be exploring through the case studies the extent to which the policy networks also cluster around arenas. I will also explore the conditions under which clusters of ideas from one arena may dominate clusters from other arenas and the mechanisms through which this may happen. Finally, I will also assess the ways in which ideas permeate between arenas and, in particular, how ideas from one arena are manifested in other arenas. Thus, for example, the contemporary political idea of 'government by the market' has significantly reshaped many social policy ideas about funder, purchaser, provider relations and has similarly created new administrative ideas about commercialisation and corporatisation. (Self, 1993)

Many ideas of course do not slide neatly into one arena or the other and in particular the separation of political and administrative ideas can be debated. For example, I have categorised the idea of micro economic reform as a political idea although it has essentially been embraced and implemented within the public sector. However, the idea of reform is essentially political, the manifestations are primarily within the administrative arena. Indeed, as Chapman (1990) argues there has been very limited reform in the political arena despite the rhetoric of 'government reform'.

In the case studies in the following four chapters I will initially categorise ideas into these three arenas in part to organise the discussion and in part to test the utility of the organising framework and its analytical links with networks.

### **Levels of Ideas**

One central axis of the argument then is about categorisation of ideas into arenas. The second is about levels of ideas. For example, the idea of freedom is clearly more abstract and formal than the idea of merit in a particular public sector. The idea of strategic planning is

clearly of a different order to the idea of responsibility. The idea(s) of Keynesian economics is(are) clearly different to the ideas about charging for the provision of public sector services.

Similarly, the more one moves from abstract and formal level ideas to case ideas, the greater the emphasis on activity. For example, efficiency is an idea that takes various concrete forms at more substantive levels. The administrative idea of the 'program' or more recently 'program management planning' is drawn partly from the idea of efficiency and begins to take on more substantive characteristics than the more formal idea that informs it. The program format could be conceptualised as an administrative idea somewhere between the formal idea of efficiency and the specific case forms the program takes. At the most abstract and formal level are ideas that are **foundational** and into this category would fall ideas such as freedom, equality, justice and the like. These abstract and formal ideas are likely to be highly normative in nature.

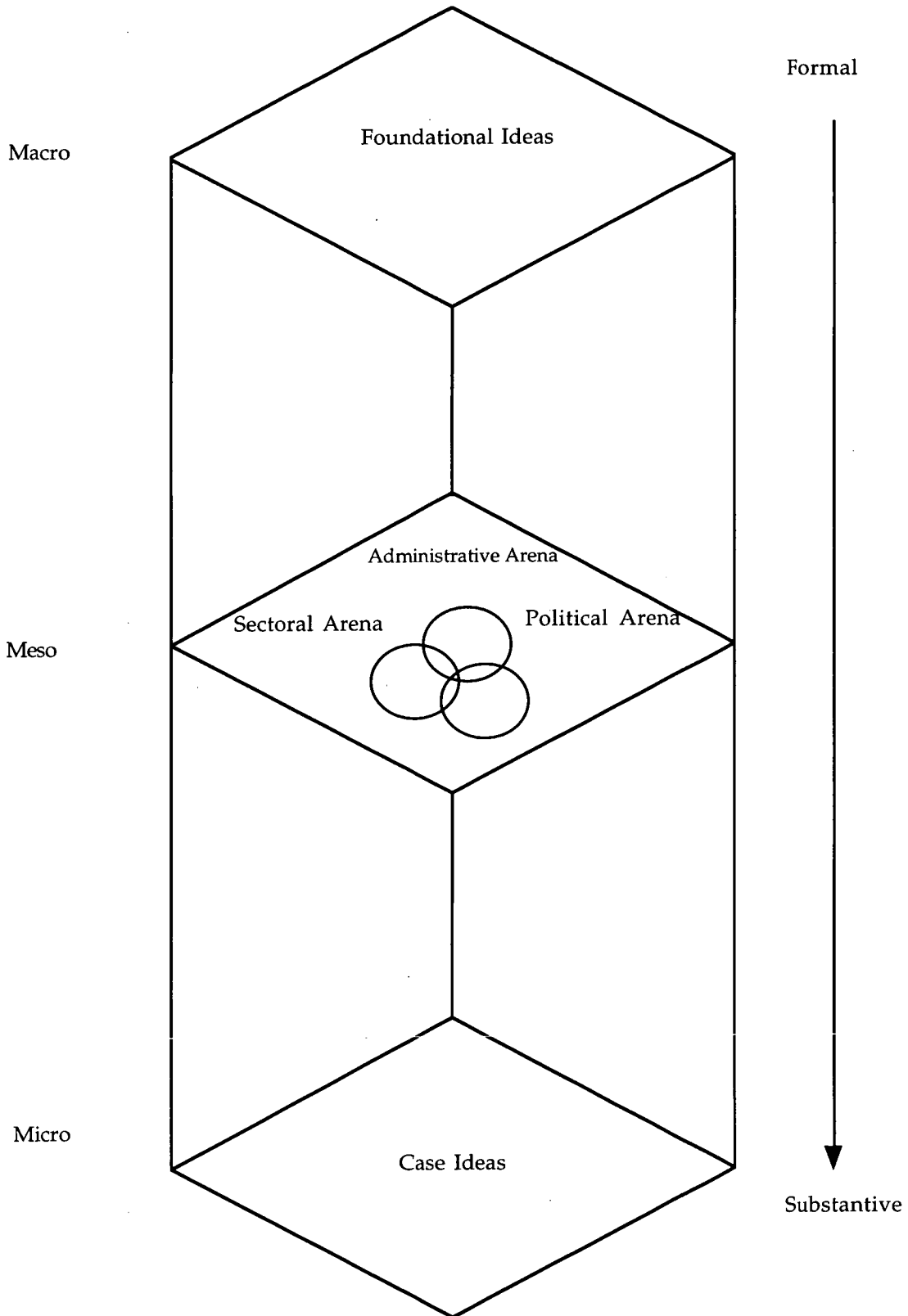
Within **arenas** are usually a cluster of ideas that are central to the core knowledge base of the arena and which are configured to constitute the dominant paradigms at any point in time. These ideas I have called **proximate ideas** and would include for example the idea of merit and program management in the administrative arena, the ideas of government by the market in the political arena and the ideas of, for example, targeting and self reliance in social policy. These ideas are still relatively formal but often have a detailed architecture which would apply in most settings. For example, the idea of the program planning has numerous (substantive) versions of objectives, targets, performance indicators, milestones, standards, benchmarks etc. In Chapter One, I argued that ideas are shared meanings about framing approaches to formulation of policy problems, policy processes and policy solutions. Inherent in proximate ideas are general explanations of problems and courses of actions to resolve them. In this sense proximate ideas have a *cognitive* component, an *evaluative* component, a *relational* component and a *directional* component. It is the clustering of these features that forms the distinctiveness of proximate ideas. These

ideas provide signposts for clustering values, beliefs and interests. They motivate and direct. (Reich, 1990: 75)

The ideas present in a particular policy case I call **case ideas**. These ideas are drawn from the various arena ideas and are frequently 'justified' by reference to foundational ideas. For example, the idea of merit in a particular case can include specific ideas on selection processes, referee reports, interview formats, appeals processes and the like.

If the arenas and levels of ideas are combined then the following frame for organising ideas results.

**Figure 2.6**  
**Levels and Arenas of Ideas**



This framing enables ideas to be conceptualised along these axis to produce a map of any particular policy case. There may well be many ideas that do not fit neatly into this schema or which could be located in more than one category. The analytical importance of identifying arenas and levels is that, firstly, they shed light on likely characteristics of ideas such as the extent to which they might be institutionalised or linked to a particular policy network. Secondly, the relationships within and between levels and arenas may well be significant determinants of the shape of policy activity and outcomes.

Taking social policy as a sectoral example, there are a number of *foundational ideas* and, especially, justice and equality that frame most social policy debate. Within the arena of the *social policy sector* those ideas are formally represented in ideas such as need, community, universalism, selectivity, targeting, discretion, exploitation, dependency, community development etc. At any point in time only some of those ideas will be proximate. In the 1990s in Australia *proximate* social policy ideas include targeting, community consultation, desert and self reliance. (Goodin, 1988; Wearing and Berreen, 1994) In any specific case these ideas can take a variety of actionable forms. For example, the ideas of need, desert and self reliance can combine to generate a points allocation system for housing priority based on the willingness and capacity of clients to pay market rents. It is of course the process of 'generating' that centrally involves the policy networks and the process of policy design.

In principle it would be possible to classify all sectoral ideas and to map the temporal trajectory of influence of each idea and cluster of ideas. This is well beyond this thesis but such a taxonomy is required if an ideas orientation is to develop.

As noted earlier, the framing of ideas by levels and arenas may also align to groupings of actors within the policy networks enabling the tracing of the trajectory of ideas from arenas into specific cases. For example, one would anticipate that public service actors would be inclined to utilise the available proximate administrative ideas

whilst advocates for social justice would be inclined to frame arguments in terms of sectoral ideas. The framework, when combined with an analysis of the role over time of policy networks, may provide a lens on the temporal features of ideas. Within specific cases it should be possible to track the relative balance of arena ideas present and the associated constituency and design work of the policy network. In each of the case studies I employ the framework to organise the ideas, identify the characteristics and assess the potential for influence.

The organising framework has many potential analytical connections with other theory and research. For example, the types of learning discussed earlier can be aligned with the framework and Figure 2.7 outlines the types of learning discussed by May, Hall and Sabatier organised into levels and arenas of ideas.

Figure 2.7

Types of Learning by Level and Arena

Foundational Ideas		
third order learning/change - Hall		
deep normative core - Sabatier		
Sectoral Ideas	Political Ideas	Administrative Ideas
social learning - May	political learning - May	social learning - May
second order learning - Hall		
near policy core - Sabatier	near policy core - Sabatier	near policy core - Sabatier
Case Ideas		
first order learning - Hall		
instrumental learning - May		
secondary aspects - Sabatier		

This conceptual convergence between levels of ideas and levels of learning is indicative of the opportunities that may exist for further research in this field and gives credence to the possibility of

an ideas orientation. By conceptualising learning by types and levels of ideas it should be possible in the case studies to observe the existence and characteristics of learning by type and level. This is an important consideration since the evidence from the (limited) learning research literature is that the range and scope of learning varies considerably even if these variations are not yet well understood. (May, 1992: 331)

## **2.8 Ideas and Causality**

On its own the categorisation of ideas into arenas and levels is more descriptive than analytical. What gives it a critical analytical edge is the capacity to link the categorisations to individual policy cases and specifically to the policy networks that are at work within (or excluded from) each case. This begins to enable researchers (as in this thesis) to look for any patterns and generalisations about ideas at work in the policy process. Ideas become active, engaged and contested within the policy networks which are the primary site of policy activity. Analysing the conditions of influence will be the focus of the case studies.

Within the emergent literature on the 'power of public ideas' there are two views emerging on 'causality' and ideas. One view is that ideas themselves have features which make them more or less influential in certain settings. For example, the arguments of Anthony Hall in relation to Keynesian economics falls into this category. Hall argues the critical factor is the 'fit' of the idea(s) with the contemporary ideological and institutional environs. (Hall, 1989) This view then allocates primacy to the status of the ideas themselves. In this view, for example, social justice might be seen as a cluster of ideas which 'fitted' the 1970s and 1980s in Australia and therefore shaped the policy activity of the time.

The second line of argument is that the social processes of argumentation and discourse are equally or more important than the ideas themselves. That is, the activity associated with ideas is central to understanding and 'causality'. In this line of argument ideas are sometimes relegated to the status of political resources and in others

their influence becomes blurred with the processes of argumentation. In this view, for example, social justice as a cluster of ideas would be seen as less directly influential than the ways in which policy networks and policy processes were able to produce goals and strategies and the like that could be 'justified' by reference to social justice ideas.

Neither do I claim that there is some hierarchy of ideas either within or between arenas. Whilst it could well be that under particular historical and other circumstances such hierarchies are identified it would still be problematical to claim *a priori* that policy outcomes reflected 'agreed' hierarchies.

In this sense, for example, social justice may be both an influential idea and an idea which is invoked to 'justify' case ideas and practices. The research focus then should not simply be on how macro formal ideas shape case ideas in a linear and hierarchical way, but on how case ideas and practices are clustered to appeal to formal ideas. The processes around how and why particular networks 'produce or reproduce' the clusters of ideas and practices thus becomes central to inquiry about ideas in the policy process. It is a two way process whereby certain formal ideas are seen to (eventually) dominate policy activity through both shaping policy activity and being shaped through it. For example, the idea of 'efficiency' in the reform of the Australian public sector in the 1980s and 1990s has both shaped the reform process (in the sense of being a goal) and been shaped by it (eg through corporatisation ideas being 'produced' as inherently efficient).

These emergent lines of argument raise numerous research questions about causality and the status of ideas as 'independent' or 'dependent' variables in 'explanation'. Again, this thesis contributes to this debate by developing a more rigorous conceptual framework for understanding the structure of ideas within arenas and between levels. Whilst the macro issues about causality are beyond the scope of the thesis, the case studies will provide insight as to areas within which general rules or patterns (should they exist) may emerge for further research.



## 2.9 Discussion

There remains a patchy history of theorising and research about ideas in the social sciences generally and within policy studies in particular. The area is beset with complex and basic issues that have dogged the social sciences for many years. These include issues about the action - structure relationship, causation, the nature and role of values, and appropriate methodologies for the social sciences. Policy studies to date have not realised the promise of a science of policy and indeed the adoption of a positivist and rationalist orientation has simply illustrated the problematical nature of the promise.

However, there are positive signs about the opportunities for more interpretive approaches to provide alternate accounts of policy which enhance understanding of policy activity and outcomes. I have argued that central to such accounts will be better theory and research about the role of ideas. In this Chapter, I have mapped and analysed key theoretical issues about conceptualising the form and function of ideas in policy with a view to exploring ideas within the case studies. I argue that ideas can be a central organising concept for the analysis of policy in much the same way as some of the 'new institutionalism' writers have 'reinvented' institutions as the central organising concept in their orientation to policy and politics. (March and Olsen, 1989)

From the broad explanatory accounts of policy by authors such as Doern and Phidd, Pal, Simeon and, Hood I position ideas as one of a series of interlinked categories of contending explanations. The other general categories are interests, institutions and socio- historical processes. At present the body of knowledge in this area is limited in part by the lack of research to test hypotheses and in part by the focus on explanations of macro level policy phenomenon such as the rise of managerialism. This leaves many gaps at the meso and micro levels of analysis.

From the emergent 'post positivist' literature I have embraced the emphasis on rhetoric, persuasion and argumentation as central to

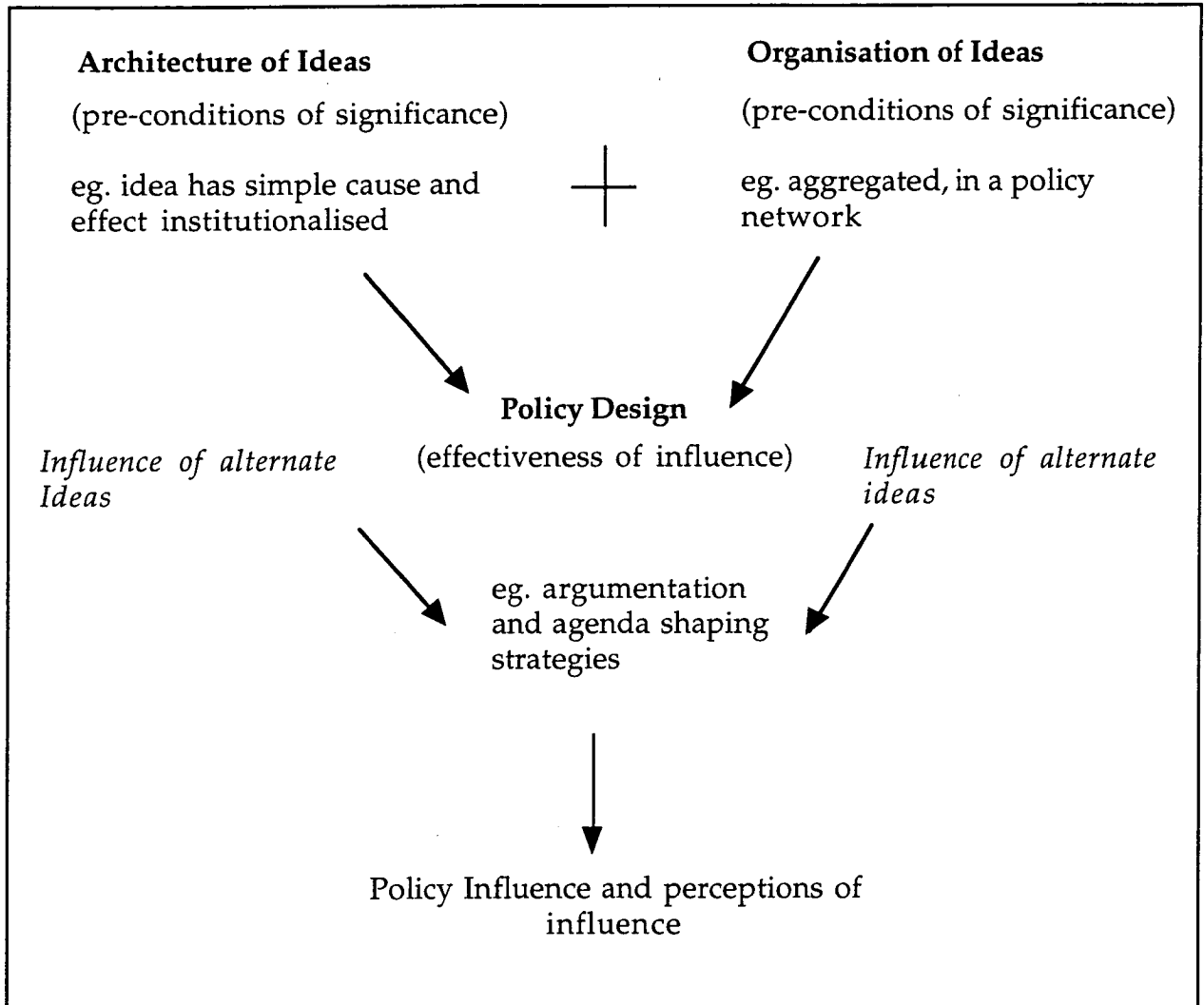
ideas construction, access to agendas and influence. The policy communities and networks literature provide a rudimentary 'method' for observing the action around and with ideas and at the same time provide a further set of potential characteristics of influence.

The policy learning literature provides an account of how and why ideas change and highlights the temporal and dynamic nature of ideas. I have argued the importance of conceptualising ideas by levels and by arenas to enable differentiation of ideas and identification of potential characteristics of influence.

The processes through which ideas are objectified and realised involve more than the blending of ideas with organisational form through policy networks. The characteristics of ideas and the policy communities/networks are essentially preconditions of significance. But the likelihood of significance turning into influence is further contingent on the capacity of networks to invoke tools that can steer the policy agenda. The construction of discourses and the capacity to shape goal setting, problem identification and problem solving constitute the predominant action of the networks and another level of analysis in tracing determinants of influence. The schema can be presented as follows:

Figure 2.8

## Ideas and Influence



Here influence is seen to be dependent on the relationship between *ideas* and the ways in which ideas are *organised* and the *design work* in particular policy cases. This initial conceptual schema of classifying ideas by level and by arena will frame the presentation of the case studies. In each of the case studies I will then assess the architecture and organisation of the constituent ideas to determine potential levels of influence in the policy process. Then I will explore the role of the policy networks and especially their policy design work and learning as ideas are manifested and transformed into policy problems, goals and, solutions.

## Chapter Three

### The Ideas in a Social Justice Strategy

#### 3.1 Introduction

In 1989 the Australian Labor Party (ALP) in Tasmania formed government in an Accord with four Green Independents. As with other state Labor Governments and the Commonwealth Government the Tasmanian Government embarked on the development of a 'social justice strategy' claiming it was 'the reason for the Labor Party's existence' and the 'central' goal of Government. The ALP lost Government in February 1992 and there was very little evidence of a social justice strategy having been formulated or implemented, notwithstanding a continuing flow of public statements to the contrary. The substantive social justice policies in 1992 were basically residual, selective, targeted, programatised and surrounded by an array of symbolic consultative and planning mechanisms.

This case study argues that focusing on ideas in the context of the policy network that formed around social justice provides an understanding of how significant social and economic 'reforms' under claims of social justice were transformed into apparent uncertainty, inactivity and non implementation. That is, an ideas orientation can provide an account of non-implementation. I will employ the framework developed in Chapter Two to frame the case study that is deconstructing the ideas in the strategy by level and by arena then assessing the key features of the policy design work of the social justice network and subsequent influence on policy process and outcomes.

As with each of the other case studies I am seeking to build up an empirical picture of the characteristics of ideas and the factors shaping the potential influence of ideas and in particular the form and function of the policy networks. Through this empirical analysis I will also be assessing the organisational and analytical utility of the ideas framework sketched in Chapter Two.

In Section 3.2, I identify and assess the foundational and sectoral ideas of social justice. I will argue that whilst those ideas have strong moral foundations they are also inherently muddled, abstract, complex and contested. This means they can more readily be viewed as political resources. In Section 3.3, I analyse the emergence of the ideas of social justice through the ALP during the 1970s and 1980s showing how the foundational and sectoral ideas of social justice were reconstructed as political ideas by the Labor party to be the 'light on the hill' that the Labor leader Deakin spoke of in the 1940s. However, in the 1980s those ideas were increasingly being transformed into contemporary administrative ideas about planning and programs. In Section 3.4, I focus on the development of the social justice strategy in Tasmania during the period of the Labor Green Accord between 1989 and 1992 concentrating on how the social justice network managed the strategy in the context of competing ideas about micro economic reform. Finally, in 3.5, I draw conclusions about the potential and actual influence of the characteristics of the social justice ideas, their relationship to, and influence of, the policy networks and the significance of the policy design work of the networks in influencing policy activity and outcomes.

### **3.2 The Foundational and Sectoral Ideas of Social Justice**

Within the social policy arena there are at two distinctive groupings of social justice ideas. One grouping comes from largely historical accounts of the activities of groups struggling against alleged injustices. The other comes from the bodies of knowledge that inform the academic writings on social justice and social policy. These two bodies of knowledge are the initial referents for the idea of social justice. Both need to be canvassed to establish the scope of the foundational and sectoral ideas of social justice, to establish the linkages and disparities between ideas from these two histories and to therefore establish the likely relevance and form of political and administrative ideas of social justice that may be constructed through membership of policy networks in particular cases of social justice policy.

The idea of justice is extremely broad and the link with social justice is primarily through the body of literature that deals with Aristotelian distributive justice, (Feinberg, 1975: 98) (sometimes also called economic justice (eg Arthur and Shaw, 1978), that is, the question of what principles should be applied to govern the distribution of various goods and services in society. Distributive justice in this sense covers issues about the distribution of rights as well as the distribution of wealth. Thus, for example, much of the Australian literature in this field in recent years has been concerned with standards of living or 'living decently' (Travers and Richardson, 1993) and the associated debates about the meanings and measurements of poverty. (Saunders, 1994)

The distinction between social justice and distributive justice is well put by Arthur and Shaw:

Justice in general and social justice in particular involve the distribution of benefits and burdens, but distributive justice has come to be synonymous with economic justice, that is with the distribution of economic benefits and burdens. Social justice includes but is not identical to economic justice, although both are concerned in part with how to distribute things that people care about. Political powers and liberties may be distributed unjustly, yet this is not a problem of economic justice'. (Arthur and Shaw, 1978: 5)

Justice arguments typically involve three sorts of claims. Firstly, a claim about rights, that is, society should have rules to ensure that the rights of individuals are respected. Secondly, justice claims focus on fairness, the idea that the treatment of individuals and groups in society ought to accord with social values and that there should not be irrelevant differences in the way people are treated. Thirdly, justice claims focus on (procedural) equality, the idea that like cases should be treated alike and unlike cases differently. All of this is of course somewhat abstract and woolly for non-philosophers and rarely do moral/social philosophers attempt to develop substantive principles of social justice. (Goodin, 1984)

The idea of justice is further clouded in moral philosophy by the separation of justice from the socially desirable. For example, one

principle of justice provides and prescribes minimum (moral and substantive) standards of conduct and social organisation. However, above these minimum standards (eg that no person should 'starve' to death), there is likely to be a wide range of social goals (eg that no child should live in poverty) where failure to achieve the goal does not constitute injustice. This, of course, is illustrative of the slippery line between justice as something stable, moral and fair and social goals which are changing, political and contestable. Albert Weale argues that the difficulties in sorting out where social justice ends and the socially desirable begins amounts to a very substantial failing in a theory of social justice. (Weale, 1983: 98) Weale discusses in some detail the most contemporary view of social justice based on Rawlsian contractarian principles. He concludes that social justice principles, at best, set broad parameters within which particular political discourses shape substantive social justice(s).

One of the few attempts to specifically link moral reasoning about social justice to social policy is by John Edwards in *Positive Discrimination: Social Justice and Social Policy* (1987). Edwards defines social justice as

. . . a set of principles to guide the allocation of burdens and benefits in a consistent way when they are not distributed according to other processes such as the market, bequests, gifts, charity or lottery. Its use is confined not entirely, but mainly, to the allocation of social goods in the public sector of welfare. (Edwards, 1987: 37)

He argues that to justify any form of social justice requires either deontological or teleological ethics, that is justifying in terms of duty (or natural rights) or justifying in terms of ends (for example utilitarianism). In any concrete historical setting social justice claims will involve appeals to formal principles or ideas that reflect one or the other form of ethic or, both. Edwards identifies six key categories of 'material' principles that are used in the literature to make social justice claims:

- \* need
- \* desert, including words such as work, effort and achievements
- \* merit, including words such as capacities, worth and abilities



- \* rights, including words such as agreements, entitlements and choice
- \* position, including words such as status and rank
- \* utilitarian, including words such as public welfare and common good

One of the traditional mainstream texts on social philosophy concludes in relation to justice

There is no formula for determining what differences are relevant for any given purpose, or for measuring the degree of distinction they would justify; we can only formulate principles of procedure, namely, that particular distinctions must be sanctioned by rules, and that criteria enshrined in rules must be ultimately justified in terms of the generally beneficent consequences of adopting and maintaining them. (Benn and Peters, 1977: 114)

Berry (1986: 6-7) argues that there are essentially two views of social justice, an individualist perspective and a communitarian perspective. For the individualist perspective represented by people such as Nozick (1974, 1989) the only legitimate principles of social justice are those that result from the processes of individuals acting and choosing freely. Rights are primarily the property of individuals and their moral discreteness is the basis of all justice. The proper social distribution of goods will occur through individual exchanges or gifts not through socially predetermined criteria such as need. Authors such as Murray (1984) have extended this view to argue that when the state intervenes to provide social justice it effectively makes things worse. That is, the best allocation of social justice is the market and the community. In this way the arguments about social justice have become inextricably linked to political idea about the welfare state and in particular state welfare. (Bryson 1992; Yeatman 1990, and Barry 1990)

This minimalist view of the welfare state contrasts with a communitarian view which sees individuals as essentially social beings, socially constructed with the social good being also the individual good. Social justice here is about principles such as altruistic collaboration or 'collective assets' (Berry, 1986: 7). Implicit in

the communitarian perspective are values of sharing, cooperation and altruism (Titmuss 1970; Berry 1986) which almost inevitably leads to arguments for redistribution and equality.

The writings on social justice within social and moral philosophy do not form a unified body of knowledge. There is no agreed theory of social justice there are only theories about social justice which reflect particular ideological perspectives and which basically only provide general principles that could guide policy work. These writings tend to focus on justice as the initial starting point with the 'social' aspect being largely restricted to the debates about distributive justice. Social justice in these writings is more of a 'meta philosophy' a grouped foundational construct about the conditions under which other specific formal ideas (eg, need, desert, merit, rights, contribution) could and should be invoked to give moral weight to particular courses of action or inaction. There are no clear cut analytical lines between the ideas or the categories into which various writers locate ideas. The influence of these writings is more likely to be through more subtle and long term processes within the broader policy community. For example, the five year 'Social Justice in Australia Project' based at the Australian National University from 1980 - 1985 canvassed the various meanings of social justice and the way it had been pursued in various areas of public policy. The 'policy learning' effect from the 115 books and papers published (and the associated dialogue) remains uncertain. (Troy, 1988: 2)

Essentially what we have here is a pool of political resources in the shape of potentially powerful normative ideas that can, through the policy design work of policy networks, be reconstituted as political and administrative ideas. The contemporary political idea of social justice encapsulates many of the core ideas of social policy in two words. This has become the greatest strength of social justice as a political idea but also a source of significant weakness as specific policy networks capture the discourse to generate a plethora of substantive policies under the rubric of social justice.

As Barry (1990: 102-103) notes the assimilation of welfare to state welfare has confused social policy arguments:

Is it the very idea of welfare itself, the theory that in principle some redistribution of resources through the state is sanctioned by moral theory which is objectionable? Or is it only the complex plethora of institutions and policies that constitute the welfare state that is condemnable for its inefficiency and inequality?

Within social science writings generally social justice as a specific phrase is rarely mentioned outside of specific laborist accounts. Neither the broader social theorists such as Marx, Durkheim or Weber used the phrase and it was only used sparingly by the post-war social policy writers such as Titmuss (1970), Townsend (1966) and Runciman (1972).

Some relatively recent social policy writers have conceptualised social justice in terms of arguments for equality. This debate was initiated in part by Runciman's work on 'Relative Deprivation and Social Justice' (1966) where he argued that some forms of inequality could be justified and that attempting to achieve equality (social justice) may create other significant social and political problems that would outweigh the value of equality and hinder its achievement.

Writers then debated the merits of this argument using the phrase social justice

We must emphasise that if social justice is to be a major criterion in determining the distribution of wealth and incomes, laissez faire collective bargaining is incompatible with that criterion. . . . A welfare society would therefore have to accept some better means of dividing the cake. (Robson, 1977: 75)

Macintyre (1985) argues that social justice as an historical category emerges and is influential only under certain historical conditions. In particular Macintyre demonstrates how the history of social justice in Australia is the history of policy networks forming to promote or oppose social justice. In particular, Macintyre argues that social justice is about the attribution of meanings to the words under

conditions which are likely to mobilise support and engender a propensity to act and think in particular ways.

Social justice is therefore an historical category. It enters the vocabulary to shape behaviour only when certain historical conditions obtain. In the first place, it is necessary that the imbalances within the society are sufficiently marked and systematic to constitute social injustice. . . . Secondly, if the category is to have any analytical vitality, then it needs to be located within the customs and norms of that society. (Macintyre, 1985: x)

Macintyre argues (1985: x) that social justice is essentially an historical category. It enters the vocabulary to shape behaviour only when certain historical conditions obtain. Macintyre's somewhat pessimistic conclusion to his study on social justice in Australia was that

. . . social justice was merely one consideration among many and a frail vessel that was easily swamped. (Macintyre, 1985: ix)

Macintyre presents seven (historical) insights into social justice. Firstly, demands for social justice arise in a market society where injustices are no longer built on fixed relationships. Secondly, the early claims of social justice were formulated as protests against the effects of the market. Thirdly, in Australia, social justice is pursued through the representative bodies of the state and institutionalised in state instrumentalities. Fourthly, the ambiguity of the state is sharpened by its assumption of social welfare responsibilities. Fifthly, the search for social justice both extends and reflects conflict. Sixthly, progress is neither linear nor irreversible and, finally, the activity of the oppressed is critical to shaping social justice.

Essentially Macintyre is arguing a laborist view of social justice as a response by the oppressed classes to the extremes of capitalism and its market forces. In many ways it is easier both formally and substantively to describe social justice in negative terms. that is it is easier to map out what social justice is juxtaposed to than to say what it hopes to achieve in most cases. In some cases where the label is applied the substantive outcome is clear, for example, in claims for equal voting rights but in most cases the claims are much more

difficult to substantively pin down either before during or after the historical event.

What is important here is to note that few, if any, of these conditions could be said to have been present either nationally or in Tasmania when the discourse on social justice began to emerge in the 1980s. This is clear indication that what we have currently is a case of manufactured social justice, an artefact of politics and administration. In all of the cases observed by Macintyre social justice emerged from the 'bottom up' and in relation to specific injustices whereas in the 1980s the social justice discourse was generated by the ALP and did not have a specific policy focus. It could, however, be argued that as social justice was a response to economic rationalism it was in fact similar to the cases of Macintyre. Again the key differences are the lack of community/class activity, the generic focus of the discourse and the top down approach.

Social justice as a sectoral idea tends to include as subsets most all of the central ideas of social policy. It involves rights, equity, equality, access, participation, justice, fairness, need and well being. These ideas are themselves complex, formal, contested and historically contingent. When such a range of contested complex and formal ideas are grouped under one banner, there are clearly going to be wide opportunities for substantive reshaping in any specific historical conjuncture. Social justice as a sectoral idea is at such an abstract and formal level that there are no obvious adjudicating principles that could be invoked to resolve disputes between social justice and say economic development. In part, this is because they are somewhat incommensurate ideas and because the argument is made that economic development may lead to, and indeed is a necessary condition for, the achievement of social justice.

### **3.3 Social Justice as a Political Idea**

One of the important features of social justice in Australia is that it is seen as primarily the domain of governments. That is, social justice has largely been pursued through the instruments of the state. The words 'social justice' emerged in ALP literature in the early 1980s

and gradually became part of the mainstream discourse of Labor governments, academics and the media during the remainder of the 1980s.

The emergence of social justice as a political idea can be traced to the shift in Labor governments in the early 1980s towards an emphasis on economic growth, debt recovery, public sector management reform and closer ties with industry. The political idea of social justice and the strategies that subsequently emerged can be seen, in part, as a response to this apparent shift of Labor away from the traditional values of the Party. As a political idea social justice was presented as representing the basic values of the ALP with the substantive historical meanings of those values held to be largely self evident.

In this sense the idea of social justice emerged as a counterbalance to the growing dominance of the ideas of economic rationalism. A dialectical relation was beginning to form between two powerful clusters of ideas. However, unlike the appeals to social justice documented by Macintyre the 1980s version of social justice emerged in response to the combination of a relatively strong economy and a Commonwealth Government with a commitment to tackle disadvantage. (Saunders, 1994: 262)

In July 1986, the ALP National Conference unanimously passed a resolution, accepting the case for a National Social Justice Strategy, and setting out a detailed framework for the development. The Conference decision was in two parts, the first setting out the principles for action, and the second identifying the concrete action that needed to be taken to start the process of developing the strategy. In 1987 the ALP produced a 'National Social Justice Strategy; Background Notes and Development Plan' which spelt out in more detail the principles and a course of action. The ALP basically identified three reasons for the development of a social justice strategy. Firstly, to acknowledge the continued persistence of injustice and the centrality of this to the ALP. Secondly, to introduce a more strategic approach to government ie long term goals, systematic planning etc. Thirdly, to help provide a unifying focus for the party

around traditional concerns of the ALP. In these documents the ALP basically presented the idea of social justice both as 'the light on the hill' and as the further consolidation of a new country as rebuilding was well underway as a result of four years of national power. The light on the hill component is reflected in the opening lines of the 1987 document:

Social justice is the Labor Party's reason for existence. It is the common goal that unites all members of the Party. (ALP, 1987: 10)

and

Above all, we need a vision to inspire the Party and meet the aspirations of our members and supporters; not a grandiose dream of the unattainable but a hard-headed, practical vision for creating a fairer Australia. (p2)

The optimism that Australia was heading towards a new identity and in a new direction was also a central theme of the new' idea of social justice:

. . . Labor has endeavoured to rebuild industry, revive employment, expand the social wage, restore welfare provisions and improve the lives of Australian people. . . . Today we have . . . a community increasingly seeking a sense of national identity and purpose. All these create a unique opportunity for national leadership. (p. 1)

By 1988 there was increasing disquiet within the Left of the (national) ALP that progress on social justice was slower than expected:

Since the [1986] Conference resolution, progress in developing the Strategy has been slow. Within Government, and to Party members and the community, it is scarcely more than an idea. (Salvaris, 1988: 1)

By 1990 the transformation of society promised in the goals of social justice had not been achieved and politicians began increasingly to talk of social justice as something to be achieved in the future once the major structural reforms were in place.

Public policy of the last six years has been dominated by macro issues - repairing our industry and employment base, repairing our tax system, repairing our income security safety net. As the fruits of that work begin to flow we will move more and more to micro-reform. This will include addressing training, education and labour market reform, and the spatial inequalities of our cities, dealing with the position of women in our social and economic systems, and establishing the framework for today's workers to retire and grow old with dignity. (Howe, 1990: 46)

Even within the ALP there was acknowledgment that social justice was needed to offset the focus on economic issues and to help unify what was increasingly a divided party.

. . . the federal ALP has had to focus much of its attention on economic management. Inevitably, a price has been paid for this - many members have perceived it as a neglect of the Party's fundamental concerns. Others have become divided or disillusioned by what they see as reactive and short term decision making, a lack of strategy or long term goals. (p. 21)

The electoral attraction of social justice was not lost on the ALP:

Electurally the Strategy could provide an attractive platform . . . giving concrete focus and specific programs to themes of "fairness", "the family" and "the future". It can also be a way of articulating. . . Labor's vision of a fairer society. Right now that vision is increasingly under attack from conservatism, greed, apathy and selfishness. (p21)

For the ALP social justice became a 'short summary' of the Party's policy objectives. According to the ALP the National Platform expressed this commitment in two key principles:

Redistribution of power and economic opportunity so that all members of society have the opportunity to participate in the shaping and control of institutions and relationships which determines their lives.

The abolition of poverty, and the achievement of greater equality in the distribution of income, wealth and opportunity. (ALP, 1987: 5-6)



The ALP linked social justice to fairness and democracy:

Democracy in its fullest sense means more than one person one vote: it embraces the civic, political, economic and social dimensions of citizenship. (ALP, 1987: 6)

The ALP had basically replaced 'socialism' with social justice, creating a new discourse to replace the somewhat tarnished image of socialism. In these ways social justice was a central idea within the ALP in that it both encapsulated the values of the past and looked towards the future.

Social justice as an idea and the associated discourse has been captured by the ALP and the conservative parties have always been somewhat uncomfortable in juxtaposing alternatives. The problem for the conservative parties is that the public alignment of social justice with Labor makes it strategically problematical to adopt the term within a conservative framework. This, of course, is quite possible and, indeed, in a number of forums conservative politicians and writers have sparingly used the term within a conservative framework. For example, at a 1989 seminar on social justice the conservative Liberal Party view of social justice was explained as:

we now offer a commonsense, balanced approach to government to restore individual freedom and responsibility; to return power over their lives to people as individuals, citizens and customers; to restore family values and personal security; to create a new productive, competitive economy with real incentive and wider choice; to reduce the share of wealth consumed by the Government  
 . . . and to redraw the boundary between what the Government can and should do and what people can best do for themselves.  
 (Connolly, 1990: 75)

The Labor Government on the other hand focussed more on a central role for government in shaping social justice.

The Government sees its role as ensuring that all Australians, including the least well off, can have productive and fulfilling lives. . . the strategy is based on an affirmation of individual rights and of collective responsibility for community well being.  
 (Commonwealth Government, 1992: 1)

Similarly conservatives tended to highlight the 'contestability' of ideas such as social justice and to avoid using the term directly:

There will always be arguments over what is the greater social good - in fact, that is the very grist of political debate. We believe that justice in a social sense is not just about the mechanisms used to achieve redistribution of wealth but about access to opportunities for individuals. (Connolly, 1990: 75)

There were a number of internal debates within the ALP as to whether social justice was a policy area or a 'meta policy' that should shape all policies. If it was a meta policy, it begged the question who was responsible for affecting it. If it was a substantive policy area it begged the question which portfolios would have responsibility for it. The complexities involved in trying to convert the idea of social justice into program activity was acknowledged by the Deputy Prime Minister in 1990.

... the Government is conscious that it is sometimes difficult to assess social justice outcomes and that many programs have particular characteristics that preclude a standardised approach being applied. Accordingly, while the guidelines are there to assist program managers, they need not be rigidly adhered to rather, what the Government is seeking from program managers is that they think about their own area of responsibilities and give more consideration to how they can make their programs more socially effective. (Howe, 1990: 46)

One of the more significant aspects of social justice as a political idea has been the lack of debate or even acknowledgment of any of the fundamental sectoral issues and paradoxes. As a political idea the discourse on social justice is about idealised versions of the specific formal ideas of access, equity, participation and rights. It is invoked to make claims about the past and the future, to be a beacon and a statement of the moral foundations of Labor. Most of all, it is a political resource unencumbered by either specific sectoral meanings or by recent histories. But this effectively meant that whilst social justice as a political idea would appeal to many people because of the inherent idealism, it also meant the idea potentially lacked the ability to solve immediate or widespread problems.

### 3.4 Social Justice and Administrative Ideas

Before the ALP was elected to government in 1989 in Tasmania the transformation of the political idea of social justice into various administrative forms were well underway. During the 1980s the Commonwealth Government commenced a series of public sector reforms with one stream based on the idea of program management. Social justice was most influenced by program management and this process became more formalised when in response to growing uncertainty in the public sector the Commonwealth Department of Finance and the Departments of the Prime Minister and Cabinet produced 'Social Justice and Program Management: A Guide' (Department of Finance, 1989).

The Guide provided only a very brief summary of the meaning(s) of each of the four elements (equity, rights, access, participation). These summaries are somewhat vague and in places circular. For example, there is no discussion of participation but access is summarised as:

Access can best be addressed through measures of participation. The concept of participation has two dimensions in this context: participation in programs and participation in decision making. The former can best be addressed through participation rates and the latter through comparison of the features of programs with related information obtained from client groups and the wider community. (1989: 3)

In this document this is as close as political ideas come to reflecting and grappling with sectoral (social policy) ideas. The Guide also reflects the difficulties in being prescriptive across policy sectors with an idea like social justice. For example, what social justice may mean in transport may differ from what it may mean in education. Similarly the mechanisms of planning and implementation may differ along with perceptions of who the main target groups are and what their levels of need may be. All of this in the Guide becomes a matter of judgement:

This does not mean that all programs should give equal priority to the four objectives, in developing operational processes and policies and in designing monitoring and evaluative processes,

explicit consideration should be given to the applicability of each element to the program. The extent to which it should be reflected is a matter for judgement in each case. (1989: 4)

The Guide also reflected a preoccupation within Financial Management Improvement Plan (FMIP) in the late 1980s with monitoring and evaluation and a shift to an outcomes focus for programs. Not surprisingly then social justice would be incorporated into program management through two main avenues:

The identification of social justice objectives for programs. . . [and] the collection of statistical and other data for the purpose of monitoring the impacts of programs. Using evaluation processes to assess and improve programs is central to ensuring that both are functioning successfully. (1989: 2)

This slide into the technocratic trade is illustrated in the attached extract from the Guide. This is the administrative idea of social justice at work.

**Figure 3.1 SOCIAL JUSTICE AS AN ADMINISTRATIVE IDEA**

Table 1: A sequential approach to identifying who is using your program.	
<p>The following steps will help to answer the key questions:</p> <ul style="list-style-type: none"> <li>- who is using/benefiting from the program? (and, if target groups are specified)</li> <li>- is the program reaching its intended target groups?</li> </ul>	
1.Information needed	What are the client group characteristics considered relevant to the program?
2. Participation measures	<p>Who are the main users of the program?</p> <p>How do these compare with the intended users of the program?</p> <p>Are there any significant groups who are not using the program?</p> <p>How much is spent of each client or client sub-group of the program?</p>
3.Data requirements	<p>Breakdown of program users by target or relevant characteristics.</p> <p>Breakdown of the general population by target or relevant characteristics.</p> <p>Expenditure per client and client sub-group.</p>
4.Data collection procedures	<p>Analysis of routinely collected information (eg application forms)</p> <p>Sample survey of users</p> <p>Sample survey of noth users and non-users</p> <p>Analysis of public use data sets (eg ABS surveys)</p>
5.Performance measurement	<p>Actual percentage of each client group/ target group using or benefiting from the program.</p> <p>Varriation between the expected and actual users of a program.</p> <p>Under or over usage of a program by a particular sub-group.</p> <p>Per capita expenditure for a given target or client group.</p> <p>Aggregate expenditure per target or client sub-group.</p>
6.Performance comparison	<p>Comparison over time within the same program.</p> <p>Comparison with pre-set standards or targets.</p> <p>Comparision with other programs.</p>

The discussion on 'which environmental factors affect a program' bears no resemblance to the factors identified in social justice as a political idea. As a political idea the factors affecting the achievement of social justice included capitalism, the maldistribution of wealth and the avarice and greed of the rich and powerful. As an administrative idea the factors affecting social justice become factors affecting a program achieving its goals. This immediately excludes from the agenda any factors which do not have an apparent program presence. The tendency of the program format is to define issues in terms of those environmental factors over which the administrative apparatus have some control.

Those factors remaining are divided into *demand* factors which include unemployment levels, demographic changes and flow ons from other programs, such as changes in eligibility criteria. Other factors influencing *outcomes* include changes in levels and/or composition of other programs and the availability of qualified staff to deliver a particular service. This sort of argument begins to implode on itself in that the main influences on the success or failure of social justice becomes the management of the program and resources available. Social justice can be achieved through the program format:

Where there are unmet needs . . . action should be taken to have these needs addressed by other means, such as through another program or a new program element. (1989: 14)

The salutary conclusion of the Guide highlights the problematical nature of attempting to convert a political idea into an administrative idea. The Guide concludes that effective management to achieve socially just outcomes is built on the recognition that:

- \* Managers will be best equipped to make judgements about the direction of their programs when they have available to them reliable and comprehensive data.
- \* The extent to which particular factors influence the effectiveness of a program will vary from program to program.
- \* Implementing measures to achieve socially effective programs will not necessarily be easy. (1989: 15)

This propensity to collapse social justice into 'good' management set the scene for what was about to happen in Tasmania.

### 3.5 The Social Justice Strategy in Tasmania

Most of the initial literature on the Tasmanian social justice strategy was directly imported from Victoria and the Commonwealth. In addition, there was a considerable exchange of internal documents and sharing of ideas with Victorian and Commonwealth officials. In particular, the architect of the Victorian social justice strategy, Michael Salvaris, made a number of visits to Tasmania and held workshops with both ALP members and public servants. Within the ALP there was no formal social justice strategy and the words only appeared here and there in the 1989 election platform. Environmental and economic issues dominated the 1989 election. Unlike Victoria, the ALP in Tasmania never really took the idea of social justice on board as a central driving force. Whilst there was a small group within the ALP that took an interest in social justice and had formed a Social Justice Committee (SJC), there was very little activity organised around social justice. The Labor Party used the term sparingly in the pre election phase and with most of the references to social justice being left to the MHA's most likely to hold human services portfolios. This limited pre election material focussed initially on social justice in terms co-ordination and democracy:

Social justice requires, firstly, that all government policies and programmes to be assessed for their impact on the community, particularly the already socio-economically disadvantaged. . . . It is also a recognition that inadequacy in government policy in one area has an impact and compounds problems in other areas of government and community activity. (Jackson, 1988)

The 1989 ALP election material had provided at least four meanings of social justice for the bureaucracy to initially work with. These were:

- \* social justice as a programme of structural change in society to redistribute resources

- \* social justice as improved government co-ordination and strategic planning for social development
- \* social justice as a set of principle about access, equity, participation and rights
- \* social justice as targeted assistance to special needs groups (ALP Platform: 1988)

These meanings were consistently reflected in statements by the Green Independents with whom the Parliamentary Labor Party (PLP) formed a Parliamentary Accord to govern. The Green Independents developed a specific policy area titled 'Social Justice' but essentially included, word for word, the Labor ideas of access, equity, participation and rights. The substance of the Green Independents' social justice policy was to target the areas of Aboriginals, youth, the elderly, human relationships, disability services and, law and order issues. Again, the focus was on reforms to existing programs (for example more accommodation services for homeless youth) and the creation of new programs (for example creating a ministerial portfolio for Aboriginal Affairs).

The preoccupation of the Accord with environmental issues meant that few of the social justice issues were incorporated into the Accord. The Accord made passing reference to social justice issues including creating a more open, community-responsible style of government and introducing social reforms. However, these were never spelt out.

What is critical here in terms of background to the strategy is the lack of an active network to promote social justice. There was no groundswell of public claims for social justice, only formal statements through the ALP. For an idea that lacked immediacy or demonstrable cause and effect in terms of capacity to solve immediate or widespread problems, the temporal setting offered little organised form to help position the idea on the policy agenda.

### **3.6 The Network Activity 1989-91**

Once in office the Labor Government moved quickly to establish an organisational locus for social justice and in September, 1989 the Premier announced the creation of the Social Justice



Division within the Department of the Premier and Cabinet (DPAC). The political and administrative ideas of social justice began to merge. The Division would:

. . . develop and enact a social justice statement which clearly explains the Governments commitment. The Division will ensure that access, equity and social justice issues are addressed in each Cabinet Submission. . . . The Division will provide advice on social justice matters and assess all legislation from the social justice viewpoint . . . we will ensure that grants and benefits are directed to those most in need. Gone are the days of pork-barrelling. We will build a kinder, better Tasmania. (M. Field Press Release Sept. 1989)

The uncertainties around the foundational and sectoral content and scope of social justice were emerging. Social justice was being separated from 'access and equity'; it was going to be a 'statement'; it was about targeting of grants; it would be a barrier to pork-barrelling, and it was now about 'kindness' and was to be effected through scrutiny of Cabinet Submissions.

Whilst publicly there were announcements regarding the creation of a new Social Justice Division within DPAC in practice the Division was made up of the existing Offices of Status of Women, Youth Affairs, Aboriginal Affairs and Multicultural and Ethnic Affairs. The only additional staff were the Director, an Administrative Officer and a Senior Policy Analyst all of whom had moved into the Division carrying full duties from previous positions.

It must be appreciated that the responsibilities of the Division incorporated a wide range of duties; . . . this created some difficulties in providing the desired level of service to Government. (Senior Manager No. 4 Social Justice Division)

Organisationally problems with social justice began to quickly emerge. Was it a 'statement' or a 'program' or a set of 'principles' or a 'policy' or a 'goal'? Whilst the portfolio responsibility for social justice was with the Premier, each of the Offices within the Social Justice Division reported to another Minister. No Minister accepted an overall responsibility for social justice and a number of Ministers

made (short) statements about social justice. Similarly no particular agency accepted overall responsibility other than DPAC for 'co-ordination' of social justice.

Most agencies assumed that with the creation of the Social Justice Division and, with the increasing use of the term 'policy' to describe social justice, that it was primarily the responsibility of DPAC to 'progress' the idea.

We were waiting for DPAC to tell us what they expected us to do about social justice. We had no legislative mandate to do anything and anyway we thought social justice had nothing to do with roads and transport. (Senior Line Agency Manager No. 5)

Several agencies strategically created positions with the title 'social justice' in them although these positions tended to be in human services agencies or agencies with some social policy connection. For example the Department of Roads and Transport created a 'Manager, Social Justice' whose primary responsibilities were in the area of bus concessions for locationally disadvantaged persons, a topical and very political issue.

At a series of Senior Executive Service training programs there were short sessions on social justice. The two key questions were; what is it? and how does it fit into program structures? Many agencies, including the Department of Treasury and Finance and the Department of Parks, Wildlife and Heritage, initially declined to send participants to these workshops on the grounds that social justice was not relevant to their agencies.

At the same time as we were being told to 'stick to our knitting' and focus on core business we were being pressured [by DPAC] into creating new social justice positions and functions which we didn't want and couldn't afford. (Senior Line Agency Manager No. 12)

For most State Government agencies the only direct policy impact of social justice over the first 6 months (and indeed overall for many) was the addition to the Cabinet Submission process of 'Attachment D - Social Justice Implications'. This attachment

essentially required all submissions to be assessed in terms of implications for the principles of access, equity, participation and rights. Social justice had become one of five attachments to the Cabinet Submission process. With 'Attachment D' the most usual response from non human services agencies was 'not applicable' or they contacted staff in DPAC seeking advice on 'how to fill out' Attachment D.

It was just another attachment to fudge and the Cabinet Office said no one looked at it anyway - they [Cabinet] only wanted to know about the dollars. (Senior Line Agency Manager 10)

The policy network that formed around social justice in Tasmania was very limited and dominated by the bureaucracy and the ALP.

The formal hierarchy was to be:

**Cabinet**

**Social Justice Sub-Committee**

(Premier, Treasurer, Minister for Health, Minister for Community Services, Minister for Education and the Arts)

**Heads of Agency (all Chief Executive Officers (CEOs))**

**Heads of Agency Social Justice Inter Departmental Committee (IDC)**

(CEOs of DPAC, Community Services, Health, Education)

**Officials IDC**

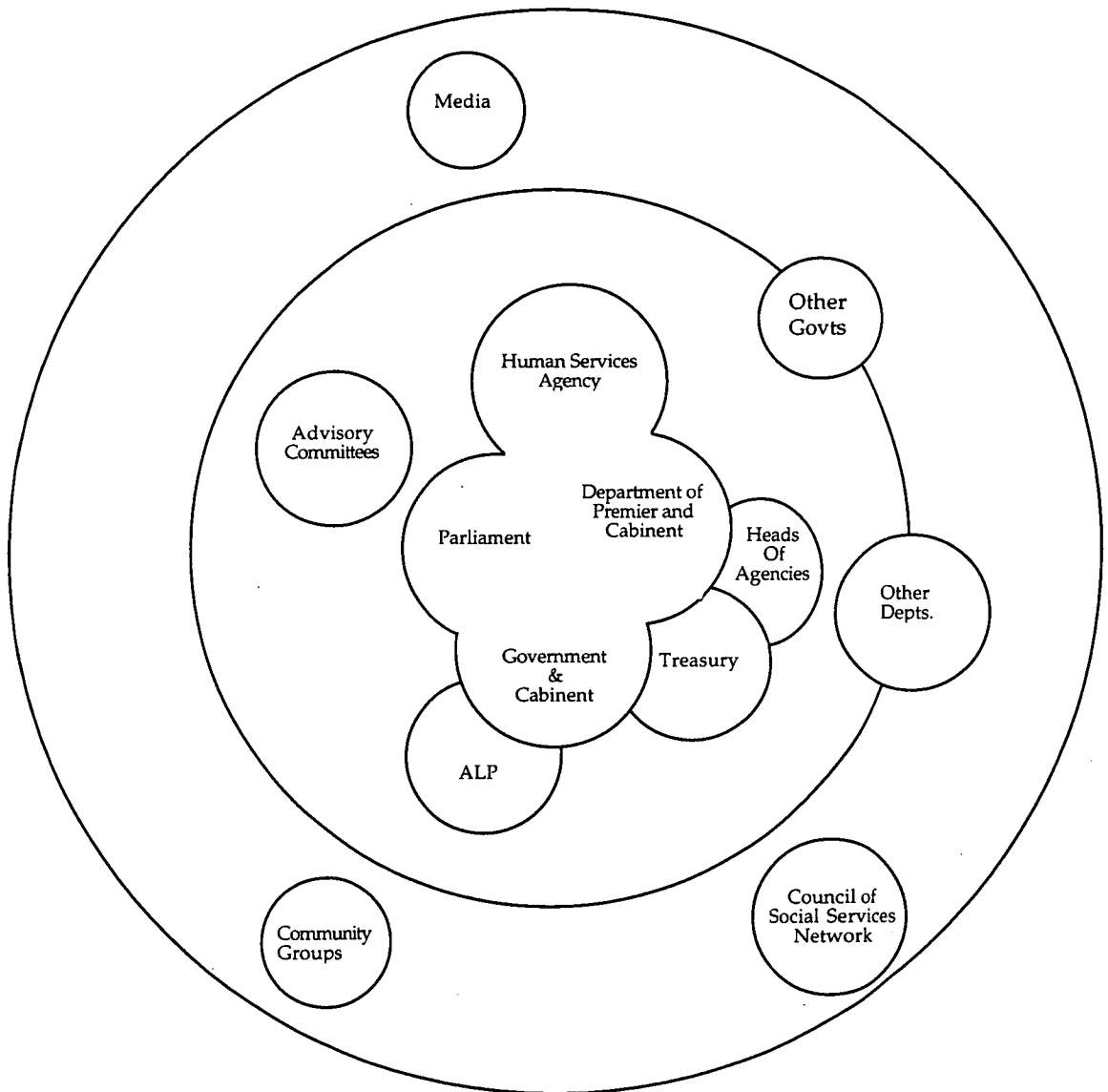
(senior managers of central and line agencies)

**Social Justice Contact Officers**

(middle managers of central and line agencies)

Using the Pross model noted in Chapter Two, the overall network at the end of 1990 is presented at Figure 3.2.

Figure 3.2 The Social Justice Network Tasmania 1989-91



The lead agency was the DPAC with 'whole of government coordination' being managed through the Social Justice Sub-Committee of the Heads of Agency Committee. The ALP SJC maintained an active role in providing advice to the bureaucracy and party members inside and outside of parliament. Other agencies continued to play a tangential role in social justice activity as did the media and community groups. Most of the activity especially the production of documents and the organisation of training activity was located within the Social Justice Division of DPAC. The Social Justice Advisory Committee was constituted and met once but dissolved into infighting about the politics of who was on the Committee and who wasn't and why. No further meetings were called.

By the end of 1989 the parlous state of the economy, the apparent need for management reform and the tensions with the Greens over environmental issues all combined to push social justice off the agenda. Without a clear mandate or capacity or willingness to tackle the structural change inherent in the political idea of social justice the Government gradually moved towards a more selective, residualist approach. By October the influence of the officials was also beginning to be more apparent in the political statements:

The successful achievement of social justice objectives will depend on the governments setting priorities based on a careful analysis of the problems and then identifying key points where action can be targeted to have the greatest impact. (Hansard, House of Assembly, Tasmania, 4 October, 1989: 986)

Increasingly, social justice became contingent on sorting out the economy and the 'trickle down' idea began to emerge with the Premier stating:

In order to put the State's expenditures back on a sustainable base we must make some very tough decisions in the years to come and particularly in the next 12 months. I can assure the House that this Government has the guts to do that. . . . However, this does not deflect us from our fundamental commitment which is to create more employment opportunities: to protect our natural heritage; to ease the financial burden on families and individuals; and to set new standards of services available to Tasmanians, this Government

will ensure a social justice strategy is developed and implemented. (Hansard, House of Assembly, Tasmania, 4 October, 1989: 985)

The achievement of social justice was increasingly being linked to new funds becoming available and this was illustrated in the first speech on social justice in the House of Assembly:

... nobody is more disappointed that we are about the fact that there are certain things we want to do which we cannot do at the moment and which we certainly would do if finance were available. (Hansard, House of Assembly, Tasmania, 4 October 1989: 933)

The uncomfortable merging of political and administrative ideas is illustrated within the January 1990 Tasmanian ALP 'Draft Social Justice Policy'. This document was the product of the key members of the ALP SJC mainly the Senior Private Secretaries. This small network group consisted of three Senior private Secretaries and two other ALP officials from the Office of the Premier. The document from the Office of the Premier stated that whilst it (the document) had no official status 'it may be of interest' to DPAC in developing the Government's social justice strategy. The document encouraged public sector agencies to take a more active role in promoting the ideas of social justice.

They [the Senior Private Secretaries] finally twigged that the public couldn't understand or care less about social justice so they suddenly wanted us [line agencies] to go out win community support for it. (Senior Line Agency Manager No. 12)

The social justice grouping in the ALP were increasingly concerned that social justice issues were being pushed off the agenda of the Government and of the bureaucracy.

We saw the Strategy as an important means of unifying the ALP in Tasmania and wanted more involvement by members of the party, the public and affiliated unions. (Senior Private Secretary No. 9)

The Social Justice Division planned to develop a series of 'Social Justice Working Papers' in an attempt to generate interest in

social justice and generally attempt to seek information on what a social justice strategy might look like. The first Working Paper was produced in February 1990 but only 200 copies were distributed with a turn around time of three weeks for comments to be received. There were only 12 submissions received, six from individuals seeking redress of specific grievances, one from an academic and five from established non government organisations most of whom were pressing for additional grants funding.

In Working Paper No. 1 there was increasing acknowledgment of the link between economic and social policies with the overall goal being:

The comprehensive integration of economic and social policies at both structural and policy levels, focussing on key issues and mutual goals, especially those in the field of economic justice. Without this integration, social policy strategies can at best have a reactive and marginal role, increasingly preoccupied with the costs and casualties of the economy itself. (Department of Premier and Cabinet, Working Paper No 1, 1990: 4-5)

There was increasing concern both within the officials network and PLP that the original promises of social justice were unrealistic and that whilst the idea remained important there needed to be more caution about the timing and level of activity. Hence many of the statements in Working paper No 1 were prefaced with phrases such as 'setting clear targets for' and 'a stronger policy focus on measures to'. This was especially in relation to the social justice component related to structural inequality. The document states the first step towards achieving social justice was. . . to involve all sectors of society in the development of a plan. . . (Working Paper No 1: 2)

This focus on planning was to dominate the discourse for the next 12 months. It enabled the policy development of social justice to become a long term activity and to be contingent on the outcomes of detailed strategic planning processes over at least two terms of government.

The proposed activity to achieve social justice included

- \* setting clear targets for the reduction of major inequalities
  - \* closer integration of economic and social policy
  - \* reforms to the budget process and format to improve accountability
  - \* enhancing co-ordination and strategic development
  - \* establishing statewide indicators and undertaking a program of strategic research
- (DPAC 1990 Working Paper No 1: 5)

Already then the key administrative ideas were beginning to dominate: program planning; co-ordination; co-operative intersectoral development; restructuring; central coordination; micro economic reform; targeting; research and evaluation, and consultation.

By September 1990 the DPAC 'Social Justice and the Budget' working paper was effectively preoccupied with the 'costs and casualties of the economy':

High need groups have to be partially protected from the effects of the stringent budgetary measures required to deliver sound financial management to the people of Tasmania. (DPAC, 1990, Social Justice and the Budget: 3)

Somewhat paradoxically, as the situation appeared to worsen for social justice (according to the Government), the language became more polemic. When the Government was first elected, it was 'committed' to social justice. By the first budget in 1990 the Government was 'strongly committed to a social justice approach'. By the second budget in August 1991, the Government was:

... quite clear about and totally committed to its intended social justice outcomes . . . the Government has been severely restricted in implementing many of its reform initiatives, including its social justice initiatives. (Social Justice and the Budget 1991: 1)

The administrative idea of targeting also emerged clearly in the 1990 ALP Social Justice Policy document. The document first developed 'principles' for social justice policies which included 'identification of the groups most disadvantaged by [social injustice] especially those with multiple disadvantages'. (ALP Social Justice



Policy 1990: 4) The document then identified the following priority groups and issues:

- \* children in poverty
  - \* the long-term unemployed
  - \* dignity and security for older people
  - \* strengthening peoples rights
  - \* Tasmania's Aboriginal people
  - \* people with disabilities
- (ALP Social Justice Policy, 1990: 5)

This group was later expanded to include low income families, women, families in conflict and people from non English speaking backgrounds. The list in 1990 was described as being 'by no means exhaustive' even though it already accounted for some 75% of the population. In the January, 1990 document social justice was described in terms of 'a policy' and 'a programme'. The document identified

- \* four long term goals
- \* four social justice principles
- \* eight policy areas each with principles (approx 25) and policies (approx 45)

This document was forwarded to the Social Justice Division of DPAC from the Office of the Premier with a covering letter stating that it was only a draft and had no official status but may be of assistance in developing 'the Government's social justice strategy'. By the end of 1990 most all of the activity in developing the social justice strategy had been directed into the production of Discussion Paper and the running of workshops on social justice within the state service.

At the November 1990 State Council concerns were expressed at the delays in developing the strategy and just who was in control of the process. The PLP was insistent that the ALP Interim SJC should only communicate with officials through the ALP Liaison Officer. Here was the threshold shift of control from the broader ALP

through the more specific PLP and into the Social Justice Division of DPAC. The people within the ALP who basically designed the early social justice documents were excluded from direct and formal contact with officials. The Convenor of the ALP Interim SJC wrote to the Director of the Social Justice Division with a series of 12 questions on matters including the structure and functions of the Social Justice Division, consultative mechanism, a liaison person between the bureaucracy, government and the ALP, roles of the various committees, access issues, and the development of social indicators.

The Convenor concluded after the response from the Social Justice Division

So at the moment, we are [still] in a theoretical stage. . . I really don't know where we go from here, I think we are all talking about different things. (DPAC Correspondence 3/4/91)

They were of course talking about different things. The ALP SJC were still proceeding with social justice as a political idea with all the associated resourcing and action that was promised. The Social Justice Division, and increasingly the PLP, were talking about the emergent social justice strategy from within the bureaucracy which was increasingly shaping up as hybrid collection of symbolic and substantive administrative ideas about planning, research, evaluation, discussion papers, co-ordination, integration, programs, management, targeting, committee work and consultation.

The idea of social justice as consultation emerged in the shape of the Social Justice Community Advisory Committee (SJCAC). The somewhat obscure objective of the Committee was to be:

The Committee will be required to act as a vehicle in developing a social justice strategy and providing subsequent updating which will involve applying social justice principles to all areas of Government decision making. (SJCAC Guidelines DPAC, 1990)

Ministers were asked to nominate individuals representing industry, unions, churches, special needs groups, 'the community' and service providers. This process took many months to effect as

Ministers wrangled over who was suitable and who wasn't. In addition, there was disputation between Ministers as to whose nominees would be successful. Not surprisingly, the final list of 18 included a rather large number of active members of the ALP. The 'independent' Chairperson nominated was, some years later, elected to Parliament as an ALP member.

This highlights the degree of control exercised over the consultative process by both the administrative and political members of the policy network. Here their interests coalesced. A broadly based 'representative' SJCAC would almost by definition bring out both the contested nature of social justice ideas and people who would argue for the precedence of social justice ideas over other ideas. Neither of these outcomes were attractive to the Government or to the bureaucracy (who dominated the policy network). The politicians would want representatives who would support social justice as a laborist political idea whilst the bureaucracy wanted a process that could be readily 'managed', could give advice on substantive issues and, could accept some responsibility for the social justice strategy. Whilst at first glance this seems to reduce policy to a conspiratorial process it must be remembered that in this case the key idea (social justice) was recognised as being increasingly abstract, volatile and under challenge. The policy network was at best half hearted about the whole process.

Whilst the question of whom the Committee was to report to was never fully resolved the general direction of reasoning was that the SJCAC should report to Premier but in effect to and through the Interdepartmental Committee on Social Justice. This again would have limited the opportunities for the Committee to bypass the bureaucracy and make it clear that public statements were off the agenda.

The Committee's functions included a number of 'reviewing' type roles and roles that provided direct assistance to the administration including to:

participate with the IDC in jointly reviewing and recommending changes to the Governments social justice goals

in areas such as equity in the distribution of economic resources and power, equal rights, access to essential goods and services . . . Develop tools to assist in the establishment of social justice priorities, including the identification of appropriate performance indicators to measure progress in achieving these priorities. (SJCAC Guidelines 1990: 3)

There was an assumption that a thing called 'the community sector' existed, that the community could and would be willing and able to articulate issues, that information would be relatively consistent, that information would be consistent with Government policy, that Government had the power to address structural problems, that the information from the community would be compatible with the information from the other 25 or so consultative bodies, and that input would lead to policy action of some description.

In consultation with the IDC and the community sector [the SJCAC] will identify and recommend high priority areas (levers of change) that need to be addressed to achieve social justice goals. (SJCAC Guidelines DPAC, 1990: 3)

The process of converting substantive social problems into procedural and technical solutions comes through clearly with the SJCAC. The SJCAC was largely about process, about 'reviewing', 'developing', 'assisting', 'inputting', 'raising awareness', 'providing links', 'consulting', 'identifying', 'participating' and 'updating'. (SJCAC Guidelines DPAC 1990) Indeed, there were a number of attempts to move away from social justice as primarily a goal oriented strategy towards social justice as a new policy process. For example, one of the roles of the SJCAC was:

to raise the awareness of social justice in Tasmania and the Government's commitment to social justice as an approach to policy development. (SJCAC Guidelines DPAC, 1990: 4)

By April 1991, it was clear that the social justice strategy was stalling, there was little community or PLP interest and many of the proposed mechanisms (such as the SJCAC) had never been instituted. The Heads of Agency Group that was to drive social justice in the Departments only discussed social justice once for around 15

minutes. The second Heads of Agency Meeting where social justice was on the agenda was cancelled and the social justice item referred to a sub-group of the CEO Community Services; Education and the Arts and DPAC. This group only met for around 30 minutes.

In April 1991, the Social Justice Division was 'merged' with the Policy Analysis and Co-ordination Division and the Directors position abolished.

We had to move to integrate social justice into the mainstream of policy coordination. Social justice was largely being treated as a policy after thought. We also had to find significant savings within the Departmental budget and it was necessary to make some structural adjustment at the senior manager level. (Senior Central Agency Manager No. 7)

The two other staff of the Social Justice Division were 'absorbed' into the new Policy Analysis and Coordination Division.

By August 1991 the advice to the Government was increasingly to shift away from emphasising the term social justice as the political idea was becoming increasingly tarnished. Thus, in the Premier's 'Strategic Directions' speech of 13 August 1991, four broad strategic directions were identified: sustainable development, *social and institutional reform*, environmental management and protection, and financial management. Under social and institutional reform

the Government is committed to establishing a socially just, safe and more tolerant society in which the basic needs of life of all Tasmanians are met with justice and dignity. this requires effective targeting and delivery of community support services, particularly social services. (Hansard, House of Assembly, Tasmania, 13 August 1991: 2135)

Here the language of social justice was being replaced by language about institutional and social reform. Within the bureaucracy problems were still being constructed and solved within administrative ideas.

One of the problems we encountered in obtaining policy advice was that there was only a limited understanding by agencies of the need for social justice principles to be embodied in all policy

decisions. In a very real sense, the organisational separation of social justice and whole of government policy advice limited the extent to which we were able to educate the bureaucracy about social justice. (Senior Central Agency manager No. 7)

Substantively social justice was being presented programatically. The 1990 and 1991 'Social Justice and the Budget' documents grouped program activity under the headings of access, equity, participation and rights. Essentially mainstream services were listed primarily within the human services. Some of the 'initiatives' listed included:

- \* hospital patient travel assistance
- \* regionalisation of the health service
- \* child care services
- \* legal aid
- \* a senior policy officer for the aged
- \* de-institutionalisation

There were also a range of 'initiatives' with less of a 'welfare' bent. They included:

- \* free birth and marriage certificates for some groups
- \* festival of sport and recreation for women
- \* the clean up of the Tamar and Derwent Rivers
- \* a charge on pollution exemptions

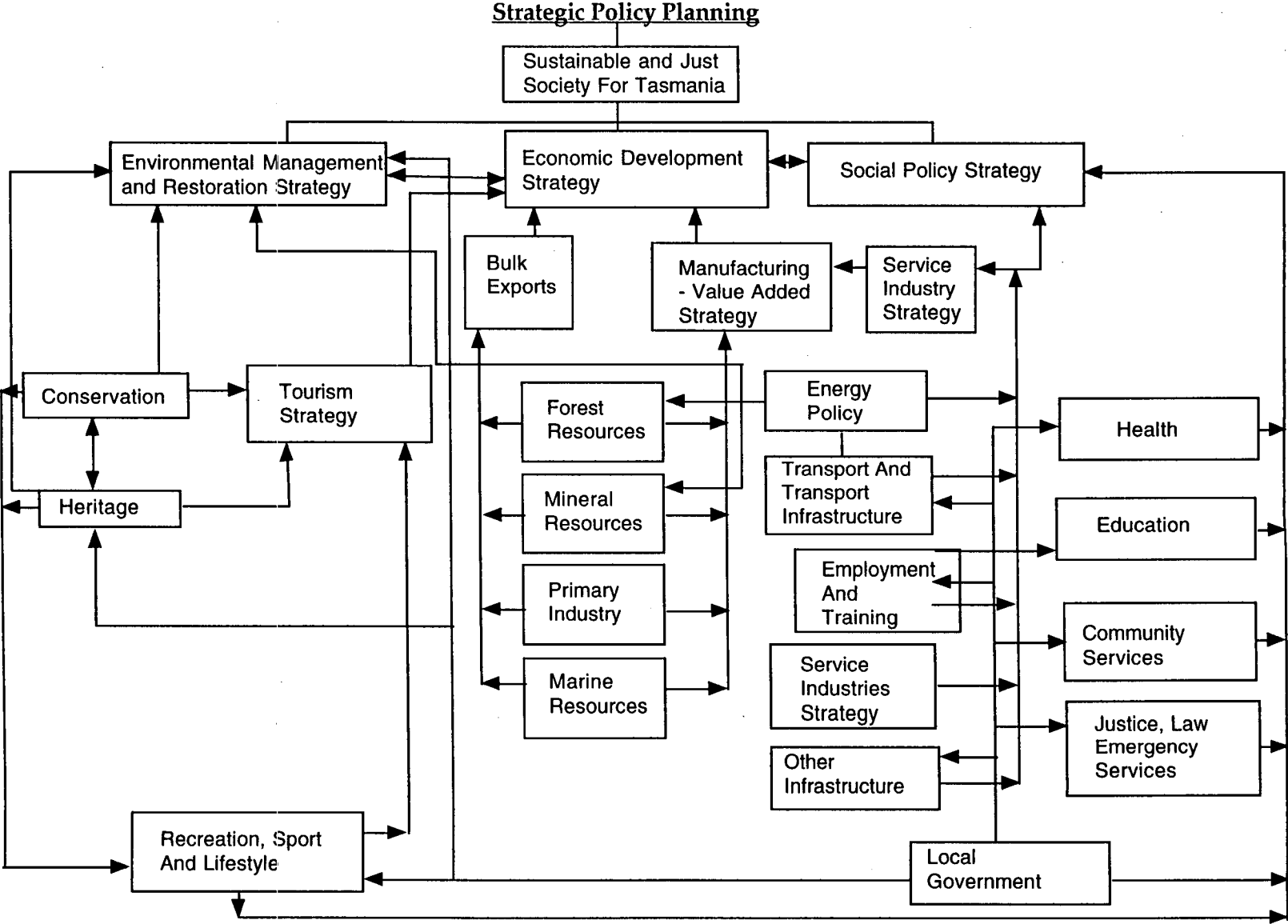
Whilst pollution exemptions may seem far removed from social justice, the abstract and formal nature of the principles makes such connections straightforward.

The protection of the environment is an integral part of the Government's social justice approach, backed by a belief that the whole community should have access to a good quality environment in which people can live and work without detriment to their health and general well-being. (DPAC, Social Justice and the Budget, 1990: 7)

By mid 1991 it was apparent that the Labor Green Accord was not working and that there was likely to be another election within six months. Two strategic planning workshops were held in March

and May 1991 involving heads of Agencies, members of the Senior Executive Service and Senior Private Secretaries to develop a 'whole of government' approach for a 'sustainable and just Tasmanian society'. From these forums the Policy Analysis and Coordination Division produced a 'whole of Government' policy framework in an attempt to better coordinate economic, environmental and social justice activity. In the process the ideas of social justice were increasingly being reduced to the activity of the human services portfolios as is illustrated in Figure 3.3.

Figure 3.3 The Absorption of Social Justice





From being the reason for the existence of the ALP, social justice was now another label in an increasingly instrumental view of 'strategic policy planning'. In the remaining six months of 1991 the Director of the Policy Analysis and Coordination Division resigned and two of the three social justice staff also left and the third was seconded to another Division.

It was clear that social justice was dead in the water. We were not going to have any runs on the board before the election and there was a cultural cringe resisting any attitudinal change. The State's economic base was shrinking and this limited our ability to strategically focus on development of vision. Our effort needed to go into financial reform, economic development and forestry reform. (Senior Central Agency Manager No 7)

This mainstream view was that any 'failure' of the social justice strategy had to do with lack of coordination, resistance to change and an absence of whole of government thinking. As another manager put it:

Very few agencies supported social justice because they couldn't make sense of it. We waited for some direction as to what it meant and what we should do but it never came. We just couldn't see what it had to offer us.

(Senior Line Agency Manager No 12)

All in all the social justice strategy simply faded away.

### **3.7 Discussion**

In the case of social justice the opening gambit with social justice was the full blown 'access, equity, participation and rights' couched in the reform language of addressing structural inequalities. In a relatively short period of time it became apparent that the idea of structural change through social justice was attracting limited support and that a set of parallel ideas around economic rationalism had emerged (as the economic 'habitat' changed) and were challenging the legitimacy of social justice and its capacity to address specific problems especially those associated with the perceived parlous state of the economy.

As a response the social justice network (primarily within the government and the human services agencies of the bureaucracy) began reframing social justice to create a version that could retain legitimacy and be seen to address the central economic problems. Social justice discourse increasingly began taking on the discourse of economic rationalism and was reframed as an instrument to support structural change and ensure a healthy workforce. This is evidence of what Rose (1993: 146) calls 'adaptation' where the goals remain the same but the activity and discourse shifts to be more aligned with the dominant ideas and associated discourse.

Since one of the ends of micro economic reform is a vibrant economy and associated full employment, the reframing of social justice did not directly challenge what Sabatier (1987, 1988) calls the 'deep (normative) core' of beliefs underpinning social justice. In this sense the social justice policy network had 'learnt' that the efficacy of social justice was increasingly contingent on its ability to be reframed in terms of the dominant proximate idea present in the policy arena.

This approach enabled the 'policy core' of social justice to remain but the social justice policy network was able to readily give up the secondary aspects (eg specific election promises) without any internal challenge to the idea itself. This is consistent with Sabatier's hypothesis that 'Hypothesis 3; An actor (or coalition) will give up secondary aspects of his (its) belief system before acknowledging weaknesses in the policy core' (668). The social justice network never really gave up the belief in social justice they simply accepted the influence of alternate ideas and 'gave up' a number of claims (but not the principles of) about the immediacy of significant structural reform and redistribution of wealth.

Ultimately in the case of the social justice strategy the learning that was necessary to adapt to the new policy paradigm of economic rationalism (or make judgements about the capacity and willingness to adapt) did not take place. Whilst there was some adaptation, much of it was ultimately symbolic reflecting a passive acceptance of the reality of a (perceived) alternate policy paradigm. This effectively meant that over time, without change in program activity, there was

a deterioration in the proximation of social justice. This was epitomised in the discourse where such actions as the 'updated legislative control of auctioneers and estate agents' and, 'some easing of passenger regulation on intrastate bus services' were being promoted as social justice achievements.

This was a case where the learning was constrained by the lack of an aggregated and articulate social justice network to manage the new environment. The strategy never reached the stage where instrumental learning was a possibility and the social policy ideas remained contested. Attempts to learn through the advisory committees and the Discussion Papers founded as most all of the energy of the government and much of the bureaucracy was directed into dealing with economic problems and the relationship with the Green Independents.

The environment had changed for social justice but without an active network, without a sound and simple social policy argument about cause and effect and without local experience to draw on in relation to instruments, the learning possibilities were significantly constrained.

Whilst the idea of social justice can be defined abstractly and formally (eg access, participation, equity and rights) their substantive meanings are contingent on the policy networks who 'capture' the idea and its constituent discourse to give it meaning and influence. Social justice as an historical idea has become a rallying point for a constellation of social values now associated more with the political left than the political right. In this sense the Labor party nationally captured the idea as a political resource even though the abstract components could be used for conservative purposes. (Beilharz, Considine and Watts, 1992: 38) Social justice became a label for what was seen as good in the real or imaginary past and was used symbolically and prescriptively as a political resource to confront apparent injustices. Whether the 'welfare state' in Australia ever fully embraced the idea of social justice is doubtful. (Watts, 1987: 128)

The ideas of the social justice strategy in Tasmania are presented in Figure 3.4:

**Figure 3.4**

**The Ideas of the Social Justice Strategy**

<b>Foundational Ideas</b>		
access, equity, participation, rights		
<b>Sectoral Ideas</b>	<b>Political Ideas</b>	<b>Administrative Ideas</b>
<ul style="list-style-type: none"> <li>* needs based planning</li> <li>* guaranteed minimum income</li> <li>* minority rights</li> </ul>	<ul style="list-style-type: none"> <li>* structural change led by gov't</li> <li>* participatory decision making</li> <li>* redistribution of wealth</li> <li>* whole of government approach</li> <li>* society as an entity with social responsibility</li> <li>* market caused vulnerability</li> </ul>	<ul style="list-style-type: none"> <li>* strategic planning</li> <li>* social justice statements</li> <li>* interdepart-mental coordination</li> <li>* program format</li> <li>* consultation</li> </ul>
<b>Case Ideas</b>		
<ul style="list-style-type: none"> <li>* social justice (strategy) plan</li> <li>* mainstreaming social justice</li> <li>* promoting community awareness/ publicity/marketing</li> <li>* discussion papers</li> <li>* needs based plans</li> <li>* microeconomic reform</li> <li>* community education</li> <li>* review, mediation and appeals processes</li> <li>* interdepartmental coordination</li> <li>* community participation/consultation</li> <li>* social justice policy indicators</li> </ul>		

In this case the ideas that dominated were initially political and later administrative. The failure of sectoral ideas to be influential and the challenge to the political idea from competing ideas about debt recovery and economic growth and sustainable development pushed social justice off the agenda. This created a sectoral and political vacuum which led to administrative ideas shaping social justice in Tasmania much more so than in other states and in the Commonwealth where there was more active policy network with extensive political and sectoral involvement. (Salvaris, 1989)

This focus on ideas in the context of policy networks contributes in part to addressing both 'how' and 'why' questions at a meso level. If the 'stages heuristic' of policy were applied to this case they would make very little sense. It would be possible to contort the information to identify stages of the policy process but at the end of the day the goal of social justice when Labor in Tasmania came to power bore practically no resemblance whatsoever to the outcomes two years later. It is possible to retrospectively craft out stages from what happened but this seems to have very little explanatory power and even its descriptive power is suspect. The mere application of the notion of rational and sequential stages attributes a degree of technical rationality to the process that was not there. The rationality at work was political rationality. The stages of policy activity that actually occurred were stages towards a general stalling of action. They were stages of a symbolic cluster of ideas being thrust into a policy window that was closing.

Again, this is not to argue that ideas alone 'cause' policy to happen. It is to argue that ideas are important components of reasons for action, and that particular groupings of people within specific historical and institutional environs use ideas to shape and constitute policy discourse. It is precisely this process of interpretation and commitment around ideas that constitutes a neglected focus of policy studies.

The conclusion by Macintyre on his history of social justice is salutary in that he argues that 'the activity of the oppressed' is central to determining the shape of social justice:

. . . we have seen that there are popular expectations of entitlement, commonly held standards of what is fair and what is unfair, which those in authority have had to take into consideration. Our study is above all a response to that pressure . . . and of the accommodations that have been reached. Sometimes these have been more favourable to the oppressed, sometimes less so, yet even within the most oppressive, contesting its procedures. . . In the end it has been this that has determined the fate of social justice and will continue to do so. (Macintyre, 1985: 146)

There were very few people individuals or groups within the social policy community that chose to mobilise around social justice and even with those that did intensity of interest in social justice in Tasmania was limited. Within the PLP the focus was almost entirely on issues with the Greens and the economy. Within the PLP the Advisory Committee was unable to formally access the officials in DPAC who were driving the process. Within DPAC there was very limited interest, expertise or resourcing and much of the time was spent 'bureau shaping'. (Dunleavy, 1991) Individuals and groups from within the community showed little interest and had few access opportunities even if they were interested. The media did not run with the issue and the Opposition would have been unlikely to attack social justice and chose not to. All in all, it was a small policy network with varying formal and substantive interpretations of social justice. The intensity of interest was generally low and there was almost no mobilisation within the broader policy community. The Green Independents who demonstrated an interest in social justice were excluded from access to either the bureaucracy, to Cabinet or the ALP activity.

This enabled the officials to basically construct the policy design work to maintain the symbolic thrust of social justice with minimum risk or resource expenditure. The commitment that did exist in the policy network was largely stifled by the lack of resourcing, unclear directions and dominance of the environmental and economy issues. Members of the social justice network had few linkages with the more influential environmental and economic networks either within the bureaucracy or outside. It was a small and fragmented network with unclear goals and disparate views on what to do and how. The entire social justice discourse had occurred within institutional settings which in themselves may well have been significant contributors to the injustices being tackled by social justice. The control of the dominant discourse with the institutions of governance ensured that the discourse would not challenge the structural components of 'injustice'. The closest the discourse came to a challenge was in promoting 'research' into the causes of inequality. The institutional rules largely restricted any wider

analysis and this was reflected in the membership of the policy network.

As an idea, social justice could not adequately challenge either economic or management reform as both were promoted as leading to more efficient markets and public sector practices and, ultimately, to social reforms. The 'trickle down' idea becomes very powerful here, the idea that 'fixing' the economy and the public sector are preconditions for social justice to emerge. In this sense social justice could not be readily presented as a competing idea because it was being promoted as a complementary and consequential idea. The ALP may well have used up one of their historical trump cards for it is not at all clear whether or not new discourses around social justice would have been weakened by the relative obscurity and apparent lack of impact of the recent discourse. Just as social justice replaced socialism within the ALP, the new symbols appear to be fairness, access and equity. These, of course, were important formal subsets of social justice.

The case study also demonstrates that political and administrative ideas are in one sense quite distinctive and in another similar. That is, the formal idea of social justice is very much a political idea but once it begins to take on the shape of a 'policy' or a 'strategy' within a specific period of governance the political and the administrative boundaries are blurred, sometimes the ideas are juxtaposed, sometimes in parallel and sometimes merging.

Whilst the idea of social justice has been powerful historically, in Tasmania the idea did not generate a propensity to act. In part this seemed due to the emergence of another powerful cluster of (potentially) competing reform ideas around micro economic reform. The historical conditions of the time were dominated by policy networks bent on micro economic reform. These were relatively well organised especially within the bureaucracy where there was a logical central network based in the Department of Treasury and Finance. The social justice network was much less well organised and was essentially a party political construct.

In this case study there were a series of ideas present and, whilst the social justice idea remained formal and complex, other ideas were seen as substantive and simple. In particular, the ideas around micro economic reform were tangible and apparently achievable. The social justice ideas were largely intangible and seemingly unachievable. Clearly there was no inherent 'influence' in the idea of social justice in this case. The ideas of the social justice strategy in Tasmania lacked immediacy and the ability to solve the perceived widespread or immediate problems in the economy. The ideas remained formal and abstract and lacked organisational form. They also lacked a mature network to generate competitive policy design work for example to engage the more dominant discourse of economic rationalism. The social justice ideas were weak and the network disorganised and fragmented. Unable to learn the network and the ideas were absorbed into the discourse of economic reform.



## Chapter Four

### The Idea Of Equal Employment Opportunity

#### 4.1 Introduction

During the 1970s and 1980s a series of public sector changes were introduced throughout the public sector in Australia. They were promoted as reforms to modernise the public sector, make it more accountable and make it more competitive internationally. (Corbett, 1992) These reforms included fiscal changes (eg introduction of accrual accounting and output based budgeting); changes based on market principles (eg commercialisation, corporatisation and privatisation of the public sector); democratic changes (eg increased consultation and participation of the public in bureaucratic decision making) and industrial changes (eg industrial democracy and enterprise bargaining).

As part of the 'raft' of changes Equal Employment Opportunity (EEO) was introduced into the public sector. To a much lesser extent it had also been introduced into the private and community sectors (Burton 1991).

By most accounts the raft of changes have realised or are well on the way to realising stated outcomes. However, the outcomes of EEO in realising stated goals has been much more patchy. Indeed some of the leading EEO proponents and authors have questioned whether the promise has been worth the price. (Burton, 1991; Yeatman, 1994) Why is it that some reforms have apparently moved towards realising outcomes with relative ease whilst others, such as EEO, have struggled to make the impact promised? Is there something about the *idea* of EEO that could have reduced the likelihood of realising outcomes?

The idea of EEO is founded on the belief that some groups in society have experienced and, are continuing to experience, 'unjustified discrimination' resulting in less employment and promotion opportunities. To address this problem a specific purpose

program response was designed to ensure *equal employment opportunity*.

In this Chapter, I focus on the ideas that are central to understanding the policy activity and outcomes of EEO. It is a case study of the emergence, consolidation and change in ideas about EEO in Australia from the 1970s to the present. I focus in particular on developments within two public services, the commonwealth, (the Australian Public Service - APS) and, the Tasmanian Public Service (TPS). Since the Commonwealth is seen to be the 'model' EEO jurisdiction and Tasmania one of the 'less advanced' the case study enables a comparative analysis of the reasons for different policy processes and outcomes and the role of ideas and networks in that. I will develop an account EEO using ideas as the central organising concept for the description and analysis of the case. I will engage the organising framework developed in Chapter Two to categorise and conceptualise key ideas and to frame an analysis of how and why those ideas have been utilised through policy networks to create policy designs for specific applications of EEO.

In Section 3.2, and, using my organising framework, I will argue that there are three arenas of ideas that are central to understanding the policy idea of EEO. First, there are the sectoral ideas about patriarchy, gender politics and the state including ideas about how machinery of politics and administration maintains and reproduces patriarchal structures. Second, there are the political ideas of EEO that draw very much on foundational constructs and in particular equity, equality, representation, justice, compensation, citizenship and rights. Third, there are the ideas around the design of EEO policy activity and in particular ideas about the utilisation of legislative, planning, merit systems and program tools to effect EEO. Not all of these ideas will be seen to be crucial in influencing EEO policy activity and outcomes. Neither are they of equal status either between the three arenas or within the arenas. I have chosen to concentrate on the political ideas mainly because the abstract ideas of EEO (eg justice, rights, equity, fairness) have been directly imported into the political arena and this is where much of the evidence of the (reciprocal) transformation from the abstract to the substantive cases can be observed. The

political arena is also where the proximate idea of economic rationality intersects with EEO ideas and where the major transformation towards instrumental rationality in the administrative arena commences.

I will show that the basic idea of EEO (equal employment opportunity program as a response to unjustified discrimination) can be understood as an historical compromise between the more radical sectoral ideas about patriarchy and the state on the one hand and, the administrative ideas around merit and the program format on the other. Much of this compromise occurs through the medium of political ideas. That is, the materialisation of radical sectoral ideas, is seen to simultaneously involve transformation into new political and administrative forms. To demonstrate how this happens and what the effect is in terms of influencing policy activity and outcomes requires, in the first instance, the organisation of the ideas into the three arenas, sectoral, political and administrative. The organising of the case study in this way frames the ideas thereby enabling analysis of just how the reciprocal relationship emerges between the arenas, how the operationalisation of an idea entails transformation and what the effect of that transformation is on policy influence.

I will argue that many of the characteristics of the arena ideas (sectoral, political, administrative) of EEO seriously undermine potential for influence. For example, the inherent contestability of meanings of ideas such as equity or rights translates into uncertainties and argumentation regarding appropriate policy design and reasons for action in a specific case. Similarly, the connection between problems of discrimination and solutions through the merit system are problematic meaning active networks are required to argue and sustain the connection.

However, I will also argue that the many of the ideas of EEO are now institutionalised in the discourse of the public sector and whilst this might not guarantee the achievement of EEO outcomes it certainly enhances the possibility of influence and outcomes derived from the particular forms of administrative ideas designed to implement EEO.

The sectoral, political and administrative ideas of EEO I have identified from four sources. First from a content analysis of the mainstream political and administrative documents published on EEO from the mid 1970s until 1995. The actual EEO plans, policies and guidelines produced at the level of jurisdictions (commonwealth or state) or at the level of agencies (eg the Public Service Commission (PSC) or a specific department such as the Department of Social Security (DSS)). Second, from the various official reviews and evaluations of EEO especially those from the PSC, from agency reports to parliament and, from parliamentary inquiries. These documents are identified throughout the Chapter and are listed in the References. Third, through interviews with senior managers and EEO coordinators. Fourth, from the commentaries on EEO from practitioners and academics. I have concentrated on those academics (eg Clare Burton) who have also been actively involved in the management of EEO within the public sector in Australia.

The ideas I present here represent the majority of ideas 'floating about' in EEO but not all. The cataloguing and discussion of all ideas would have significantly added to the length of the case and added further complexity to what is already a complex series of connections I am attempting to establish. I have concentrated on those ideas that most consistently appeared in the EEO discourse. In Chapter Six on User Pays I do catalogue the full range of ideas to demonstrate the significant number of ideas that can emerge.

## **4.2 The Idea of EEO**

As noted in the introduction, the idea of EEO is a set of beliefs about unjustified discrimination for certain groups, the need to rectify this situation and the adoption of equal opportunity program activity as the solution. Its manifestation is through a legislatively based program within governments (primarily Commonwealth and State) covering various 'target groups' most usually women, Aborigines and Torres Strait Islanders, people of non-English speaking countries and, people with mental or physical disabilities. In this case study I will focus primarily on EEO for women. I do this for

two reasons. First, most of the available publications focus on women. Second, there are distinctive ideas associated with each of the target groups and rather than attempt to analyse all of these I have concentrated on one 'category' of EEO target group. The differences within and between EEO target groups is now a central issues in the literature. (See, for example, Pettman, 1992; Sawer and Simms, 1993)

The central cluster of EEO ideas are summed up in the following statement from the Commonwealth PSC:

The legislation recognises that these groups have over a long period been subjected to unjustified discrimination in employment matters. Many members of these groups are also socially and economically disadvantaged. EEO Programs aim to assist target groups by removing unfair or unnecessary barriers to their employment and advancement as well as positively improving their labour force skills. . . . These programs will also contribute to the efficiency and responsiveness within the Public Service, by preventing the waste of talent that results from discrimination and by creating a more diverse Service, with a better understanding of the range of needs and views within the community. (Public Service Commission, 1992: 1-2)

Here in this one quotation there are ideas about:

the problem	- unjustified discrimination; disadvantage
the goals	- efficiency; responsiveness; diversity, and
the solutions	- targeting; removing barriers to employment; skills development

As noted earlier, I argue that the ideas of EEO are essentially contested and complex thereby reducing the likelihood of influence unless other characteristics can offset the complexity and unless networks are capable of policy design work to manage the complexity and contestability. Whilst many other writers acknowledge the inherent complexity and contestability (eg Burton, 1991; Sawer 1985) they rarely map out the range of ideas constituting EEO or the sources of complexity and contestation. Nor do they then go on to discuss the implications of complexity and contestability for EEO policy. In mapping the ideas of EEO, I employ the framework developed in chapter two which frames ideas by level and arena. In this case I

examine the ideas by arena - sectoral, political and administrative - before examining how those ideas were constituted in the specific cases of the TPS and the APS. Firstly then the sectoral ideas.

#### 4.3 EEO as a Sectoral Idea

In this section I discuss the central sectoral ideas of EEO, the ideas of patriarchy and the state. These ideas are most often expressed through academic writings on EEO and through conversations rather than through the official discourse. EEO does not fit neatly into a functional sector as do, for example, housing ideas or transport ideas. Whilst in disciplinary terms much of the literature fall within social policy there is increasingly a tendency to locate EEO for women with the framework of women's studies and feminism. (Sawer and Simms, 1993) My concern here is not so much to locate EEO into a specific category but to demonstrate that the ideas of EEO are drawn from quite distinctive bodies of knowledge. In particular, the sectoral ideas of EEO tend to be about patriarchy, the state and gender relations whereas the political ideas tend to be focussed on how such ideas are reconstructed within the policy framework of a liberal democracy.

#### As Franzway Court and Connell state of EEO

Since that strategy is premised on liberal feminism it is subject to the general criticisms of that perspective. . . the formal agenda of affirmative action is construed in liberal-feminist terms and therein lies the limit to their potential to mount a fundamental challenge to the state and to the sexual division of labour. The political practices of affirmative action officers are limited by the theory of liberal feminism. (Franzway Court and Connell, 1989: 103)

There are two sets of competing ideas framing EEO the first based on liberal feminism and the other based on more critical accounts of the state and gender relations. The liberal feminist view basically accepts the possibility of reform through the instruments of the state whereas the more critical accounts argue that the institutions of the state are permeated with features of patriarchy which will ultimately undermine mainstream reform processes.

Depending on the perspective adopted critics range from those expressing caution to those expressing complete rejection of EEO. (Franzway, Court and Connell, 1989: 96) Modern feminism has itself generated an important organising concept, the idea of the patriarchal state.

Within the ideas of liberal feminism there are a further series of paradoxes and tensions which remain unresolved and possibly unresolvable. Some of these are about feminism and some about liberalism. For example as Franzway, Court and Connell (1989: 96) state of the liberal idea of equality:

The most damning criticism of equal employment as a strategy is directed at the notion of 'equality'. Feminists have couched many of their demands in terms of equality yet they have made stringent criticisms of its meanings. Quite simply, equality has a relativity problem: equal with what or with whom? . . . And this is the problem. Equalness denies difference. Specifically the equal opportunity strategy appears to deny women's difference, since the goal is to become equal with the normative male individual. . . . 'Equality' then fails to challenge the model by which the male individual is taken as the universal case.

And, for example, the idea of women as a generic category experiencing similar disadvantage in similar ways has been challenged in recent years by the acceptance of 'difference within sameness'.

As Pritchard (1994: 3) states

Hopefully, in future years the constitution of the ubiquitous women who appears in western feminism will become more eclectic, and feminism will be claimed by, and spoken about, by women who, because of their multiple axes of identity, have been marginalised.

There are two main accounts of the patriarchal state, the state as agent of patriarchy and, the state as a relatively autonomous agent attempting to manage its own internally contradictory demands. The basic difference between the two versions is that, whilst one views the state as an instrument of patriarchy, the other views the state as an oppressor within which men's interests have been embodied and

objectified through state organisation. The latter view is now beginning to predominate in the academic literature. (Yeatman, 1994)

These ideas about patriarchy and the state frame the political and administrative ideas of EEO in that the specific claims for EEO and the specific practices adopted in a particular setting will tend to reflect overt or more subtle positioning around sectoral ideas. Whilst the sectoral ideas converge in relation to the effects of discrimination they tend to diverge on pinpointing the causes and therefore the most feasible and desirable strategies for addressing discrimination. This disjuncture between problem and solution becomes important as the ideas move closer to materialising through policy.

These sectoral ideas then are fairly radical in the sense of requiring significant structural and cultural change to address institutionalised inequality. The ideas confront established patriarchal interests and undermine belief in the 'fairness' of Australian society. This is probably why they are not central to the official public sector discourse of EEO, they are simply too challenging. The ideas however have been central to the motivation and rationale for the introduction of EEO. (Sawer and Simms, 1993) The sectoral ideas about patriarchy and the state are also complex and contested. But this is not how EEO appears on the ground. Somewhere between these sectoral ideas and the activity of EEO there has been a transformation, a political and administrative transformation reconstituting EEO in the form of political ideas about the role of government in addressing inequality and then through administrative ideas about merit systems and programs. It is to these political and administrative ideas that I now turn to demonstrate their salience to the substantive manifestation of EEO in the TPS and the APS.

#### **4.4 EEO as a Political Idea**

If the sectoral ideas remain too abstract and contested to shape the day to day policy activity of EEO then perhaps the political ideas will be more proximate to the action? In this section I identify and discuss the key political ideas of compensation for prior harm, the



ideas of justice and rights, the idea of equality, the idea of citizenship, the idea of representation and diversity, and the idea of structural efficiency. The discussion of each of these ideas canvasses general debates surrounding the ideas (eg the debates over the meanings and effects of equality of opportunity versus equality of outcomes) and then draws down to how each of the ideas is construed in relation to EEO. I will show that abstractness, complexity and contestability are characteristics of each of these ideas both formally and when reconstructed as an EEO idea. Whilst this potentially reduces the likelihood of influence the specific political idea of EEO has reduced much of this abstractness, complexity and contestability through concentrating on employment equality of opportunity, by integrating EEO with the dominant political idea of economic rationality (through the idea of structural efficiency) and, by grounding EEO in the program format - which I discuss in 4.5.

In Australia EEO policy is seen primarily as the responsibility of the state. It is also fundamentally shaped by the word 'employment' which more often than not locates the substantive practices within a human resources framework and helps to maintain a program focus. Since EEO in Australia has largely been conducted within the political context rather than focusing on sectoral ideas I have identified a substantially longer list of political ideas to discuss. Most of these cross over between sectoral ideas (ie ideas that generally inform discourse about an issue) and political ideas (the role of government in responding to policy problems) but since the substantive debate has been within the context of government response to inequality, I have located the ideas within the political arena. In Australia most of the debate about EEO and equality has been grounded in the political discourse about EEO rather than from within the political/social philosophy literature on equality. Discussing equality as a political idea enables my narrative to demonstrate how abstract ideas such as equality are materialised in the case of EEO. I will include some general domain debates about EEO - for example John Edward's (1987) analysis of the moral reasoning on EEO - as part of the framing of the political ideas that have emerged in Australia.

Over the 20 years from 1974-1994, the ideas constituting EEO have changed in terms of prominence. From initial ideas about equity and social justice the focus has shifted to structural efficiency and diversity. These ideas then are the raw material for the networks and the argumentation about EEO. I will argue that these ideas remain essentially contested and muddled leading to further reliance on the simplicity of administrative ideas to constitute the policy design of EEO. I am building the picture here of the apparently simple idea of EEO being underpinned by contested and complex ideas requiring significant design work by networks if EEO is to be influential.

### *Ideas about compensation for prior harm*

These ideas (prior harm and compensation) are clustered with the main debates being about the compensation idea.

The principle of compensation requires not just restitution to the *status quo ante* but reinstatement to the position that those injured would hold today if the injustice had never occurred. (Edwards, 1987: 162)

A series of substantive barriers to the application of the compensation claim arises, that is specifically who to compensate, in what form, how much and through what mechanisms? The establishment of the applicability of the harm principle does not identify the form or content of compensation or, who pays?

Central to EEO is the idea of a 'target group' yet the compensation principle tends to focus on individuals rather than categories. That is, in EEO the category establishes moral relevance not primarily the substantive harm attributed to any or all individuals within the group. Empirically it would be difficult to demonstrate that all members of a target group have suffered specific harm. Authors such as Edwards (1987) have concluded on this basis that categories such as 'gender' are therefore 'morally irrelevant' and should be rejected as an argument justifying EEO. This line of argument, whilst 'morally sound' (contingent on how one constructs the moral argument) tends to ignore the realities of discrimination

being unevenly distributed between groups in society and not simply within them.

The 'next best' approach is to argue that sufficient harm has been experienced by members of the group (historically and currently) to warrant the aggregation of the compensation principle to apply to the category. However, a categorical focus can obscure important differences within the category and lead to other forms of discrimination remaining such as those associated with class, culture, age etc. (Pettman, 1992) The actual form and content of compensation has received little attention in the EEO discourse. There are two quite subtle forms of reasoning at work in the compensation argument. The first, and least contentious, is that prior harm justifies the allocation of additional resources to remove barriers to current employment discrimination, and to ensure that target group members have access to mainstream and, where required, specialist training and development programs to compensate for the prior harm. The claim here is that these processes in conjunction with other EEO strategies will be sufficient to compensate for prior harm. The stronger version of compensation is the 'affirmative action' view. Affirmative action is taken here to mean the use of 'quotas' and the potential overriding of merit to ensure target group members have access to employment opportunities.

Another complex and contested idea of compensation is intergenerational compensation. The issue is about the reasons why current individuals and groups should be compensated for prior harm to the category. Conversely, it is argued why should other individuals and groups be potentially 'excluded' from employment opportunities on the basis of prior harm which they were not directly involved in generating.

These complex and contested ideas rarely emerge in the program format or the official guidelines and policy statements on EEO. But they do emerge in submissions to reviews and enquires. For example in the Dissenting Report of the Inquiry into Equal Opportunity and Equal Status for Women in Australia ('Half Way to

Equal' : 1992) the members stated in relation to the idea of compensation;

We recommend that any clarification of the right to damages by way of representative action must be more precisely drafted so as to indicate that damages can only be claimed by a person against whom discrimination has actually been proven, and, moreover, that the measure of damages be made with particular reference to each person so discriminated. (Half Way to Equal, 1992: 278)

The idea of compensation is a complex and contestable idea underpinning EEO. It is by no means clear specifically whom to compensate or how or at what level.

### *The idea(s) of justice and rights*

The idea of justice and rights tends to be linked in the EEO publications and reports. The standard presentation of the justice idea is

Everyone has a basic right to compete for employment, limited only by ability to do the job. Many people have been denied employment because of their race, colour, accent, sex, disability and sexuality which had no bearing on their ability to perform in the job. (Tasmanian State Service, 1992: 24)

Justice is usually described in terms of

everyone has a basic right to compete for employment, limited only by ability to do the job . . . people should be able to choose from a variety of occupations, limited only by job vacancies and their ability. (Tasmanian State Service, 1992: 6)

This is in effect the weak version of equality of opportunity with the word 'right' inserted. Of course the rhetorical and normative value of 'rights' can be significant.

Stronger versions of the idea of justice are occasionally found in the EEO documentation, usually linked to 'natural justice' arguments.

[Natural justice] requires two basic principles to be observed  
 (a) that a person or body deciding a particular matter must give the affected person the opportunity to present his or her case. This includes allowing the person to be represented by the relevant employee organisation; ensuring that the person is fully informed of the case against them, or the reason behind a decision that affects them; and allowing the person access to essential documentation.  
 (b) that the decision maker or persons who make up the decision making body have no personal interest in the matter to be decided and are unbiased.  
 (Tasmanian State Service, 1992: 56)

or, the principle of natural justice is defined as:

. . . which means procedural fairness, ensuring fair decision making, giving people the opportunity to be heard in relation to decisions being taken about them and for those decisions to be taken by an unbiased decision maker. (Public Service Commission, 1992: 10)

There are also many examples of how constant repetition of formal words is taken to be meaningful:

A predominant theme in natural justice is that all administrative decision-making must be fair. In other words, all administrative decisions must be fair and equitable. It follows then that any administrative decision must be based on sound and fair reasons. (Tasmanian State Service, 1992: 56)

Clearly the formal idea of justice provides little direct guidance without quite a lot of substantive interpretation!

### *The idea of equality*

In the EEO discourse equity is usually discussed in terms of treating like cases alike and unlike cases differently. Equality is usually discussed in terms of ensuring equal access to the same opportunities (procedural equality) or ensuring a more even distribution of target group members within a particular service or department or whatever (outcome equality).

Affirmative action and anti-discrimination legislation are enactments which recognise the aim of equal treatment for all

members of the community and the elimination of all discrimination. "equal treatment" is a general phrase which describes a range of policies and practices operating to eliminate certain forms of disadvantage within the general object of "equality". The term "equality" has been defined as "the state of being equal; correspondence in quality, degree, rank, ability, etc." (Ronalds, 1988: 2)

Here we have elements of all three versions of equality: equality of outcomes; equality of life chances, and equality of opportunity. What is interesting is the way in which such definitions are presented as unproblematic. Whilst this attributes a degree of symbolic consensus and order to the idea of equality it belies the complexity and contestability of the idea.

Equality is a central social and political idea in western thought. (Goodin, 1984, 1988) It is also contested and complex. As noted above, there are really three versions of equality: equality of outcomes; equality of life chances, and equality of opportunity. In its pure form equality of outcomes would mean all persons would achieve the same outcomes and this is not a helpful argument. Equality of life chances is the idea that

The prospects of children for eventual positions in society should not vary in any systematic and significant manner with their arbitrary native characteristics. (Fischkin, 1983: 32)

Native characteristics are, for example, ethnicity, gender, disability, spatial location, social class etc. This idea of equality avoids the absurdities of everybody being equal in all respects and focuses on the conditions which enable maximisation of each person's potential. It aims to ensure that everyone has the means to develop their capacities in a satisfying and fulfilling way. As an idea it remains contested especially where equal is construed in terms of substantive paradigm cases such as that of the white Anglo-Saxon male.

Equality of opportunity is the weakest version of the equality idea and is essentially about procedural fairness. (Weale, 1978, 1983) It has been the subject of extensive analysis in the literature with limited agreement on all but a few points. Basically the idea prescribes

that all persons should be treated equally (in the same way) save where there are reasons for treating them differently. Whilst many writers attempt to shore up the idea by adding words such as 'justifiable' or 'relevant' reasons the basic flaw remains. Substantively the idea is essentially meaningless outside of each specific context. Formally it at least establishes that morally relevant reasons for differential treatment are required.

This weak version of equality of opportunity presents three problems for proponents of EEO. It relies heavily on interpretations of fair procedures from within the same institutional arrangements that have contributed to the unfair situations in the first place. The idea of equality of opportunity may simply generate new procedures which are unable to address structural and systemic barriers and which simply reinforce more subtle and complex forms of discrimination under the guise of equality. The 'glass ceiling' is an expression of this. Even if procedural fairness could be introduced, it does not compensate for prior harm and is, therefore, without support from the strong version of equalisation of life chances, a limited idea. For example, there is currently a debate within social policy regarding the requirement for widows over 50 to apply for Job Search Allowance (unemployment benefit) and demonstrate a willingness to seek full time work. The argument here is that many of these women have essentially had 'careers' in the home (such as child rearing or caring for others) and have a limited range of knowledge and skills for many jobs in the open market. It is argued that to expect them to compete on the open market is to fail to take account of the 'prior harm' through being locked into a traditional home duties role.

The principle of equity is defined as

requiring that people management is based upon the same principles across the APS to ensure that staff are treated fairly, reasonably and impartially according to the same criteria, and the outcomes indicate progress in employment for the different EEO groups. (Public Service Commission, 1990: 3)

The problem with reducing equity to the argument that like cases should be treated alike and unlike cases differently is that it is

silent on the categories of difference that should apply and the legitimacy of those differences. Like procedural equality there is no guarantee of fair outcomes.

It should also be noted that the entire debate on equality is limited both by the focus on employment and the restriction to various public services and increasingly opportunities within specific agencies or divisions within agencies. For example, both the Commonwealth and the States now have an 'internal vacancies' publication which (in general) restricts applications to people within the service. There is very limited scope for equality and reflects in part the high costs of widespread advertising and interviewing. It does however reduce the likely policy network that will be active in scrutinising the equality/merit claims.

The application of 'special measures' to achieve equality for EEO target groups seems to be in itself a form of discrimination and therefore inequality. This potential paradox has been recognised in a number of EEO publications and by Courts required to rule on cases of discrimination. The following extract from a High Court judgement under the Racial Discrimination Act illustrates the complexity and contestability of the idea of equality:

But it has long been recognised that formal equality before the law is insufficient to eliminate all forms of social justice.

Human rights and fundamental freedoms may be nullified or impaired by political, economic, social, cultural or religious influences in a society as well as by the formal operations of its laws. Formal equality before the law is an engine of oppression destructive of human dignity if the law entrenches inequalities in the political, economic, social, cultural or any other field of public life.

A means by which the injustice or unreasonableness of formal equality can be diminished or avoided is the taking of special measures. A special measure is, *ex hypothesis*, discriminatory in character; it defines formal equality before the law in order to achieve effective and genuine equality. . . .

A legally required distinction, exclusion, restriction or preference based on race nullifies or impairs formal equality in the enjoyment of human rights and fundamental freedoms, but



it may advance effective and genuine equality. In that event, it wears the aspect of a special measure calculated to eliminate inequality in fact. (Ronalds, 1988: 17)

So, now we have formal equality being contrasted with material or real equality which in fact means (in some cases) acting (apparently) unequally in order to create equality. This is a carefully crafted normative position which relies heavily on interpretation and commitment in specific cases if the type of 'real equality' being discussed here is to be achieved. The presentation of EEO in the rational, instrumental simplistic, consensual and formal legislative and program formats is most unlikely to elicit the 'argumentative turn' necessary to encourage many people to interpret EEO positively.

The failure to adequately conceptualise the complexities of equality may well contribute to reinforcing barriers to EEO. For example the use of the male as the 'normal' can lead to equality for women simply being treated as men with no allowance for differences. One submission to the House of Representatives Standing Committee on Constitutional and Legal Affairs outlined a case in a Diamond Mine in Western Australia:

The universal application of the masculine norm applied and all women were left with no legitimate grounds for criticising or trying to change male culture. They were expected to accept pin-ups without flinching, the jokes about complaining, and the aggressiveness between men as normal. Even the clothing they were given to wear was traditional male blue collar overalls, shorts and tops. There was an allowance for difference in size but not in shape. For the women this often meant a certain discomfort in fit, but there were repercussions in safety, in that the gloves for handling dangerous chemicals came only in one size - large. (Half Way To Equal, 1992: 255)

Again, this illustrates the complexity and contestability of the idea of equality and in particular the reliance on substantive case interpretations to 'justify' action. However the problem for EEO advocates is the slippery nature of formal equality because formal equality requires a paradigm to be judged against.

And this is the problem. Equalness denies difference. Specifically the equal opportunity strategy appears to deny women's

difference since the goal is to become equal with the normative male individual. (Franzway, Court and Connell, 1989: 96)

Not only does equality have a comparative problem with other categories of people it has a comparative problem with many other categories such as work categories. For example, equality of opportunity for all base grade clerical workers does not directly address issues of organisational status and power and remuneration related to entrenched occupational discrimination within the workplace.

Notwithstanding the predominance and apparent simplicity of the word equality in EEO documentation within the public sector a cursory examination of the idea immediately establishes inherent complexity and contestability.

### *The idea of citizenship*

In the EEO literature equality is sometimes linked to the idea of citizenship to provide a further idea justifying EEO.

. . . equality of individuals is possible through the liberal democratic state which represents and protects the rights of free and equal individuals as citizens. . . . Proponents of equal opportunity argue that [women] should also be able, as men are, to act as equal individuals in employment. There is a kind of citizenship right in economic life also. (Franzway Court and Connell, 1989: 96)

Citizenship is becoming an important element of EEO interpretation in part because of the imagery of rights, self determination and equality that it contains. It is, however, in the first instance simply a formal word describing membership of a polis. Central to the idea of citizenship is participation and thus exclusion from 'fair' participation can be seen to undermine citizenship. Since citizenship helps maintain the solidarity and identity of the polis then it is important to remove or minimise distortions such as those generated through unequal access to, and outcomes in, the labour market.

As an idea citizenship is contested in many ways. The notion of citizenship being connected to activity in the polis tends to exclude those individuals and groups in society (eg children) who are not formally in the polis or who are not active (eg who do not vote or otherwise contribute). For example, the historical connection between citizenship and labour market participation has meant that those individuals and groups not active in the labour market can be seen to be second class citizens.

### *The Ideas of Diversity and Representation*

As Franzway, Court and Connell argue, the idea of representation of interests appealed to the Labor Party which historically received a lower proportion of women's votes than the conservative parties (1989: 91). It also appealed to reformers in the bureaucracy as a strategy to break up the elitism of the senior levels of most public services. It linked with the 'new public administration' and the Minnowbrook Conference of 1968 generating ideas of a more active, moral and democratic form of public administration. (Marini, 1971; Dvorin and Simmons, 1972)

There are numerous technical problems with the idea of representation. For example, if representation is to extend to EEO target groups should it not extend to all under-represented groups? How then would children be represented? How are the categories of representation to be determined? There would be numerous criteria available here in addition to the EEO target groups including: age; income; employment status; life style (eg family); location; intellect; religious and political affiliations etc. How would individuals with multiple characteristics be counted? This is a current issue with EEO target groups. For example, migrant women with a disability can cover three target groups creating, at a minimum, counting rule issues. Who is to determine whether or not an individual is suited to represent his or her category? Given the assumption of representation is that it will 'balance' the bureaucracy, it would seem important that individuals are 'screened' rather than relying on chance.

Yet 'representation of interests' came to mean simply that women as a category were entitled to a fair proportion of the states jobs. An underlying assumption was that, since those who got state jobs were women, they would automatically represent the interests of other women. Differences among women were obscured, and major difficulties in the practice of representation obscured. (Franzway Court and Connell, 1989: 92)

Again, apparently simple ideas of diversity and representation are seen to be complex and contested.

### *Structural Efficiency*

In general economic terms, efficiency refers to minimising the cost of inputs used to generate a given amount of output. Efficiency gains, therefore, can be achieved either by reducing the cost of inputs used to generate the output, or by increasing the amount of output, and productivity yielded by the set of inputs consumed. The argument that EEO leads to efficiency gains implies, then, that increasing the distribution of under-represented groups across job categories will result in productivity gains, thereby increasing efficiency by utilising previously untapped sources of talent.

Franzway, Court and Connell (1989: 91) also assert that the efficiency argument 'is designed to appeal to both the rationality of bureaucracy and to the productivity of the private sector'. As such efficiency arguments might be utilised to 'sell' an EEO program by appealing to the rational self-interested motives of managers in both the public and private sectors. Such arguments are likely to be more persuasive than those based on ideas of natural rights such as equity and freedom of choice.

Anti-egalitarian arguments have been advanced to suggest that the concept of EEO is inherently inconsistent with productivity and efficiency gains. These arguments suggest that promoting equality of opportunity creates disincentives for individuals because 'only inequality provides the incentive to work harder and produce more'. Thus EEO could be viewed as a counter-productive strategy with the consequences of less efficiency rather than more. Even if one does accept the extreme anti-egalitarian arguments, EEO can still be viewed

as inherently inconsistent with efficiency gains if it involves elements of positive or reverse discrimination. Goldman (1979: 44) argues that strategies aimed at producing a proportionate mix of minorities across various job categories represent a type of reverse discrimination. Goldman asserts that

[by] definition discrimination of any form is inefficient in terms of goods and services projected. Discrimination in favour of a certain group of individuals in the present cannot make up in efficiency for discrimination of a group of individuals in the past.

Hence, EEO programs can be viewed as replacing one source of inefficiency with another.

A further argument against the efficiency-EEO link is that it is the market and not bureaucrats which can best determine the optimal allocation of productive resources. Differences in earnings received, or in employment held, are determined by differences in individuals' human capital endowments. Presumably if real efficiency gains, be they long or short term, were attainable from a representative work force, market participants would recognise this, and market signals would force a redistribution of labour to take advantage of the efficient gains available. This has not occurred in the private sector, and raises the question as to whether legislation to enforce or promote a redistribution can achieve gains that the market has been unable to recognise.

Implementing and monitoring EEO strategies are not costless processes. The transition stage of getting there is likely to involve additional costs and decreased productivity. Forward (1993: 22) suggests that ongoing costs are also significant, indicating that:

there is an unavoidable, unmistakable tension between the push for greater productivity, continuously improving measurable performance, and the time and effort needed to ensure the full requirements of equity and merit are met.

Cole (1988: 228) specifically identifies EEO as one of the many constraints on efficiency in the public sector. He argues that programs become distorted, with equal opportunity requiring form filling and

time consuming rituals unrelated to real EEO. Attempts to better target or focus EEO programs, however, result in losses of efficiency in administration. The direct and indirect costs of implementing and supporting ongoing EEO programs must be outweighed by productivity improvements if net efficiency gains are to result. At best this remains contested and for EEO to be promoted in this way makes it vulnerable. The idea of efficiency as a justification for EEO is not new it has simply been enhanced in recent years with the emergence of the discourse on managerialism and economic rationalism.

As early as 1977 reformers such as Peter Wilenski were arguing that

The State can ill afford not to utilise to the full the energies and talents of the men and women who have been denied and are often still denied the opportunity to carry out jobs commensurate with their ability. The overall result of such discrimination has been that the quality and efficiency of government administration has been less than it otherwise might have been. (Wilenski quoted in Franzway, Court and Connell, 1989: 91)

In a paper entitled 'Women and Micro Economic Reform' prepared by the Standing Committee on Women's Advisers for the 1992 Commonwealth/State Ministers' Conference on the Status of Women there was considerably more caution about the prospects for EEO under micro economic reform. This paper reflected similar concerns to that of the Women's Electoral Lobby (WEL) (1992) in a paper on the impact of enterprise bargaining on women. Whilst both documents identify potential benefits most are contingent on the market accepting certain 'fundamental principles' most of which may have little or no legislative backing.

The paper argued for a industrial 'safety net' approach of minimum pay and conditions to underpin enterprise agreements. The safety net however is not to be based on structural efficiency arguments but equity arguments with government as the guardian.

These provisions are fundamental, without them, micro economic reform can easily turn from an opportunity for

women into a threat. . . . The nature of this safety net needs to recognise that women have not yet achieved equity in the workplace and not allow further erosion of their pay and conditions. Further, the principle of equal opportunity needs to be legislatively incorporated into the structures and processes through which enterprise agreements will be negotiated and ratified. (Women and Micro Economic Reform, 1992: 15,32)

In 1992, the Commonwealth Government Task Force on Management Improvement concluded in relation to EEO that

. . . both agency submissions and regional consultations indicated that doing more with less in the APS has had a negative effect on EEO reform - a view inconsistent with the intended efficiency improvement orientation of EEO. (1992: 203)

The extension of economic rationalism to claims that markets can form the basis of moral communities illustrates the pervasive nature of the discourse and the capacity to erode both deontological and consequential justifications for equality. For example, the argument is:

Because markets are based on voluntary cooperation and decentralised decision making, they also create the only conditions in which a moral community can emerge and be sustained. (Fightback, 1992: 27)

For others however the shifting of the moral foundations of society to the market would present a major challenge to EEO:

But the market has always failed women. . . . The progress made by women over the last century has not come from the market; quite the reverse. The market appears to have a taste for discrimination as well as resulting in outcomes unacceptable to women as primary carers of society. (Sawer, 1992: 84)

All the political ideas of EEO are complex and contestable. None are proximate in that they do not provide guidance as to immediate courses of action. Certainly it would be difficult to deduce from the ideas that, for example, strategic planning is a necessary policy design feature. The ideas are all restatements of the foundational constructs of liberal democracies and carry with them the paradoxes and tensions of liberal democratic ideas. They are, however, all imbued

with the moral pull of liberal democracy and this has been an important factor in gaining at least initial and symbolic support. The ideas of EEO have sometimes been further linked to national ideas further boosting moral claims. Thus one set of EEO Guidelines commences.

While it has long been a popular belief that Australia is a "fair country", there are indications that not everyone is treated equally. EEO is one of many policy directions which may be used to work towards the removal of barriers which discriminate against specific groups in our society. (Tasmanian State Service, 1992: p.1)

This picture of paradoxes, contestation, moral claims and incommensurability stands in stark contrast to the apparently simple idea of EEO as an employment based program in response to historical discrimination. These political ideas lack proximity to the mainstream instruments of the public sector; they do not provide much guidance for a program manager to act. Somehow they still need to be transformed from these complex and contested sectoral and political ideas into a form that can be operationalised. As yet the objectivity and instrumentality perceived to be the centrepiece of the program, is not present nor obviously derivable from these sectoral and political ideas. This would seem to indicate that the networks advocating EEO are likely to require considerable mobilisation and articulation to sustain a consistent and simple promotional role for EEO. Who (eg networks) and what (eg legislation) has the influence to transform the sectoral and political ideas of EEO into administrative forms becomes a central issue in determining likely levels of influence in each case.

#### **4.5 EEO as an Administrative Idea**

There are a range of important ideas constituting EEO discourse which are primarily about the application of guidelines, planning processes, the merit system, and the program format. These have been grafted onto the sectoral and political ideas to give more substantive form and function to EEO. They are not new ideas created to manage EEO they are existing ideas invoked to manage EEO. In this section I identify key administrative ideas of EEO (the program and



planning, merit and devolution) and demonstrate how the complexity and contestability of the sectoral and political ideas of EEO have been narrowed and neutered into manageable and apparently benign programs. This, then, enables the argument in the following sections to demonstrate how and why the networks were central in this transformation.

### *The Program Format*

The idea of the program has become a dominant feature of the new public management. (Corbett, 1992) As an idea the program format is about planned order and control, technical rationality, consensus, sequential activity and the separation of politics from policy. It is the driving map of administration and provides the tool kit as well. It is closely aligned to strategic and corporate planning and indeed relies heavily on the identification of clear goals to trigger structure and process.

Within the strategic planning/program format EEO can appear in up to four basic formats. Firstly, it can appear as a plan at the central level either within public service boards or public service commissions (as has been the case with the Commonwealth) or within central agencies of Premiers (as has been the case in most States). Secondly, EEO can appear in program form within specific departments and other agencies (eg statutory authorities) within a central framework. For example, EEO can appear, as a sub-program of a corporate services program which may include, say, human resources, finance, public communications, marketing etc. That is, line agency but centrally located and driven. This is a partly devolved model. EEO can also appear in program form as a sub program of each of the programs of a department. For example, a human services agency may have 10 programs one of which is 'Housing Services'. This program would have numerous sub programs such as 'Public Housing', 'Private Rental', 'Capital Works' etc. One of the sub programs here would be 'EEO' or it could be a sub program component of a sub program called 'Corporate Support'. This would be a more fully devolved approach to EEO.

Figure 4.1 is a typical EEO document from within the APS and illustrates the conversion of EEO to the language and format of the program. To achieve the plan 'managing with equity' modules and 'awareness videos' were recommended. (DSS EEO Program Plan 1992: 26) The Document implied there were no problematic issues here, little complexity and agreed meanings. The document identified six of the 55 'specific actions' within DSS to achieve EEO.

**Figure 4.1**  
**The Programmatisation of EEO**

<b>Specific Actions</b>	<b>Responsibility</b>	<b>Accountability</b>	<b>Time-Frame</b>	<b>Monitoring and Evaluation</b>
Ensure that EEO principles and gender issues are included in the development of national training material	AS <sup>1</sup> , Training Director, Work Environment	FAS <sup>2</sup> , Corporate Services	Ongoing	Review of all new & revised training material.  Training to advise Work Environment Section of number of training staff who have received EEO-related training.
Provide EEO training to National and Area training staff.	Directors, Training Director, Work Environment	AS, Training AS, Industrial Relations and Personnel.	Ongoing	Number of trainers trained.  Number of courses conducted.
Ensure that there is a specific EEO competency identified at each level of Structured Training Program (STP).	Directors, Training	AS, Training	Ongoing	Review of STP competencies
Integrate EEO principles into all levels of STP.	Directors, Training.	AS, Training	Ongoing	Review of STP competencies.
Develop and distribute a national policy statement and publicity material on the rights of staff to a harassment-free workplace and ensure that posters are prominently displayed in offices, training venues and amenities areas.	Director, Work Environment Director, Personnel Services	AS, Industrial Relations and Personnel	Sept 92	Distribution of national policy.,  Availability of information and posters in all workplaces.  Variations in number of harassment complaints.
Ensure that Selections Advisory Committees with responsibility for base-grade recruitment are trained in the application of Additional Selection Criteria.	Program Manager Corporate Services Director Personnel Services	Area Managers, AS, Industrial Relations and Personnel	Jan 93	Development of training material.  Number of staff trained.  Area reports in Additional Selection Criteria stats to Personnel Services Section.  Personnel Services Section reports to Work Environment Section on recruitment trends.

<sup>1</sup> AS - Assistant Secretary

<sup>2</sup> FAS - First Assistant Secretary

One of the paradoxes of the program is that whilst there are many claims about potential benefits from integration and mainstreaming its primary form (categorisation of activity into specific organisational and service delivery compartments etc) actually works towards the compartmentalisation and marginalisation of issues especially those not a part of the 'core business' of the agency.

### *Merit*

Merit is a central idea of modern administration and one that is contested. As Painter argues

The old, narrow, simple definitions of the merit principle that public service boards traditionally advanced have been broadened, become more contested, and now form a battleground for conflict over basic values among a variety of guardians and advocates. (Painter, 1990: 81)

The central theoretical tension between merit and EEO can be stated quite simply. The merit principle rejects discrimination in employment (especially job selection) on 'arbitrary' grounds such as race, class or gender. The merit principle establishes criteria of merit (characteristics most suited to maximum effectiveness and efficiency in a job) such as qualifications. However, the merit principle is silent on the reduced capacity of some individuals or categories of individuals to demonstrate merit as the result of prior and/or continuing discrimination. Second, and related, the merit principle does not address access issues, issues of how and why some categories of people tend not to seek employment in the public sector. For example, until the passage of the (Commonwealth) Disability Discrimination Act in 1992 a person with a disability may have been able to apply for and successfully obtain a position on merit, but be unable to physically access the building of employment or the office equipment and technology of the job. Third, behind the instrumental rationality of the merit principle is another reality reliant on contested meanings, interpretation, power relations and exclusion. As Harry Krantz (1974: 436) states

. . . the concept of "merit" in public employment has had a rubbery texture, stretching or contracting to cover the prevailing ethos.

But in the TPS no such problem existed:

Programs designed to satisfy {EEO objectives} are consistent with the merit principle if they do not grant or deny any advantage on the basis of race, sex or ethnic origin, but concentrate on removing any artificial barriers in employment. (Tasmanian Government - EEO Legislation Options Paper, 1990: 3)

The complexity here is that merit systems must simultaneously deny advantage on the basis of categories other than where advantage has been denied on the basis of those categories in which case 'artificial barriers' are to be removed, but the removal of them is not deemed to constitute 'advantage'. It is not deemed to be advantage precisely because the disadvantage requiring the advantage has been unjust. However else one views the merit system, this issue would seem likely to generate argument and interpretation. The risks of linking EEO to the merit principle are well understood within EEO networks and the two main responses have been to attempt to redefine the merit principle, and to put in place other strategies that can address the issues of prior disadvantage, access and the looseness on the principle. For example, attempts have been made to include 'social justice' as a criteria that underpins the merit principle and social justice is identified as part of the 'central policy framework' in the EEO Strategic Plan for the 1990s. (PSC, 1993: 41) Whilst the meanings of social justice are contested the effect is to open up the idea of merit to include sympathetic discourses.

Much of the final form of EEO is reduced to merit. As an activity merit is about applying specific standards to job selection and promotion. It entails the creation of selection criteria, widespread advertising of positions, skills and knowledge as the main criteria for selection, the use of written applications addressing the selection criteria, a formal interview with at least three interviewers, the use of referee reports and the allocation of cardinal or ordinal ranking to the answers to questions. These are the administrative manifestations of EEO.

### *Devolution*

Associated with the efficiency argument are trends towards 'mainstreaming' of EEO, increased consultation on EEO and devolution of management of EEO. Thus after a detailed consultative process on a plan for EEO in the 1990s for the APS Objective No. 1 became

To ensure that EEO principles and practices are integrated with all people management activities across all streams of employment in the APS. (Public Service Commission, 1992: 46)

This was part of a move away from detailed legislation and guidelines towards managers having a responsibility to promote and demonstrate achievements in EEO. The argument was that this flexibility at the 'local' level was required to 'deregulate' EEO. This tends to assume that the barriers were also localised and could be addressed locally. It also assumes that local managers will have the time and other resources (eg knowledge, skills commitment) to grapple with complex issues of EEO, but, as Burton argues, EEO is not the primary purpose of the Program and many people in the APS have difficulty understanding EEO. (Burton 1991) Burton argues that specialist units at least centralise the commitment to EEO and facilitate the complex tasks associated eg with the development and maintenance of performance measures. As Muetzelfeldt (1992: 16) argues, devolution of EEO helps muffle any recognition of organisational politics in part because it is difficult to identify or name the power centre in terms of the image of a loosely woven net.

Of course one should not assume that specialised offices and officers are 'better' than mainstreamed specialisation. Specialisation can lead to problems of elitism and marginalisation. However the likelihood is that with a male dominated organisation, the elitism and organisational politics will hinder the development of EEO (Muetzelfeldt, 1992).

The arguments for devolution include increased flexibility, capacity for innovation, improved efficiency, more transparent responsibility and an increase in commitment.

This option allows for flexibility of approach in that it provides for the establishment of service-wide requirements, but also allows for the implementation of Agency specific programs if required. . . . Allocating responsibility to heads of Agency . . . is consistent with the generally accepted principle of devolution. Further it allows for the integration off agency and human resources management thereby providing an integral link between the principles of EEO and the corporate objectives of the agency. (Tasmanian Government EEO Legislation Options Paper, 1990: 25)

It is not clear who 'generally accepts' the principle of devolution. However,

it is argued that incorporation of EEO into all human resource management functions provides managers with a line responsibility for its promotion and a sense of ownership, thereby engendering a commitment to the application of the principles and philosophies of EEO. (Tasmanian Government EEO Legislation Options Paper, 1990: 26)

The Public Service Commission stated in 1989 that devolution had been detrimental to EEO and that the process of devolution was still inadequate and that there had been a drop in the average level of EEO activity (Public Service Commission 1989) and that by 1993 the Public Service Commission view was that 'the impact of devolution on EEO has been mixed' and that 'EEO in the Regions remains a cause for concern'. (Public Service Commission, 1993: 13)

The transformation of EEO through administrative ideas into the program format realised a material objectivity for EEO. EEO was at last able to be operationalised. EEO was adapted to the program format and made proximate to the day to days responsibilities of managers by being included as part of normal planning and program management. The grafting of EEO onto the merit system enabled it to be seen as central to the operation of merit and indeed that the characteristics of the two were interchangeable.

So, a much more complex picture of the idea of EEO nationally has emerged from the examination of the key sectoral, political and administrative ideas constituting the EEO arenas. The main characteristics of the idea of EEO include a number of potential strengths in terms of influence. The capacity to absorb and adapt to potentially hostile ideas (structural efficiency); a capacity to be institutionalised through legislation and guidelines; a capacity to be grafted onto the program format and the merit system; a capacity to make important moral claims; a capacity to solve immediate and widespread problems of discrimination in the public sector, problems that resonate with the experiences of many people especially women. However, some of the characteristics of EEO have sources of weakness as well. EEO and the program format were constructed through a tortuous transformation of radical ideas where the cause and effect relationship remained uncertain. That is how EEO programs would 'solve' problems of embedded gender based structural inequality. Most of the ideas of EEO all seem complex and contestable even if the empirical evidence of discrimination does not.

With such a mixed bag of strong and weak characteristics the actual outcomes of EEO in a particular setting would seem unpredictable. EEO does not seem proximate enough to carve out policy space and realise outcomes without considerable organisation and design work to promote it. This, I argue, is where the role of the networks emerge. In the next two sections I demonstrate how in one jurisdiction (the TPS) the lack of a mobilised and articulate network ensured EEO could not be proximated and, therefore, a significant influence. In the other case of the APS, a strong and vibrant network compensated for the weaknesses of the idea of EEO by embedding it in the institutional framework of the APS, creating a consistent discourse, promoting cultural change, and learning to adapt EEO to new habitats as they emerged.



#### 4.6 The EEO Policy Community and Policy Networks in the TPS and the APS

##### Development of the National Policy Community

Prior to the 1970s there had been very limited reform of the historical barriers to equal employment opportunity for women in the public sector. Until 1966 women in the Australian public service were required to resign from the service upon marriage. There had been virtually no reform of indirect forms of discrimination. In 1972 the WEL was formed with specific political objectives to advocate for change through mainstream political and bureaucratic mechanisms. In particular, WEL initially focussed on abortion law reform, equal pay and child care. In this sense it was much less threatening than the more 'radical' Women's Liberation movement that was also emerging in the early 1970s. The rise of WEL coincided with the emergence of a reformist ALP which actively sought the vote of women at the 1972 federal election. Similarly the media were receptive to information on women's issues partly because of the large number of women journalists, partly because of similar movements occurring in the rest of the world and partly because of the interest raised by the publication of Germaine Greer's *The Female Eunuch* in 1972. By the late 1970s it was apparent that whilst many of the more direct barriers to equal employment opportunity had been removed, there were entrenched forms of systemic attitudinal and structural discrimination which meant there were still no women as Departmental heads nor were there any women at the immediate level below, the 'First Division' and there were only 1.8% of women in the Second Division. (Sawer, 1984: 56)

Studies were consistently showing that women were not moving into senior management (the glass ceiling), were remaining occupationally segregated whilst men were moving into many traditional areas of women's work (eg social work, child care) and, technological change was likely to further reduce employment opportunities for women in traditional clerical areas. These research findings led to a renewed effort by EEO advocates in the late 1970s to

mobilise and take more proactive steps to redress both indirect as well as direct forms of discrimination. (Burton, 1991)

The EEO policy community in Australia is large and the policy networks within each jurisdiction and around particular issues have been able to utilise knowledge and skills both from elsewhere in Australia and from overseas. For example, the difficulties encountered in the USA with the promotion of affirmative action 'quotas' contributed to the development in Australia of the less threatening 'target' system. However, within the broader policy community it has largely been the network around the Commonwealth EEO strategy that has mobilised matured and remained active and influential. Networks at state level and within the private sector remain patchy and fragmented. (Burton, 1991) The aggregation and articulation of the women's policy network (especially within the public sector) has been significantly greater than that of other target groups. (Burton, 1991) This is reflected in the much higher levels of achievement by women under EEO compared to the other target groups (Half Way to Equal, 1992: 147). Whilst EEO was centralised in the Public Service Board there was a central coordination point for the national policy network which was able to link into other major networks such as the WEL and the various Offices of Status of Women.

In each of the following two sections I describe and analyse the features of the EEO networks in the TPS and the APS. Having argued that the characteristics of the idea lack evidence of decisive influence I am exploring the proposition that the organisation and policy design work of the networks is a crucial determinant of the final influence of the idea of EEO, its transformation into policy activity.

### **The Tasmanian Policy Network**

In Tasmania a formal EEO network has never been established. With the passing of the State Services Act (1984) it was largely assumed Section 4 of the Act would be sufficient to advance EEO. The State Services Act (s4) states:

. . . the appointment of persons as permanent employees and with the promotion of permanent employees shall be on the basis of the individual capacity of those persons or permanent employees notwithstanding any disability of those persons or employees in relation to performing the work associated with the position for which those persons or employees are seeking to be appointed or promoted, and having regard to the knowledge, skills, qualifications, experience, and potential for future development of those persons or permanent employees in their employment in the State Service.

Until 1989 much of the Tasmanian documentation on EEO reduced it to the merit system.

EEO is an extension of the merit principle by taking steps to encourage the dismantling of direct and indirect discrimination in employment practices. Essentially then EEO is the operation of the principle of merit. (Tasmanian Government - EEO Options Paper, 1989: 2)

As a result, responsibility for EEO was invested in the human resources branches of departments with little other activity envisaged or undertaken. By 1989 it was apparent that little progress had been made through relying on the legislation. The Commissioner for Public Employment was lamenting the lack of progress and noted in his 1987-1988 Report to Parliament that whilst EEO was primarily the responsibility of CEOs

regrettably there are some agencies which have been slow to accept the challenge. . . . Even more regrettable has been the failure of some larger agencies to initiate their own development programs. (Commissioner for Public Employment, Third Annual Report, 1987-1988: p. 9)

Formally EEO was initially the responsibility of the Office of the Commissioner for Public Employment. The Office consisted of the Commissioner and four staff and was basically responsible for all employment functions under the State Service Act 1984 including, recruitment, appointment, promotion, transfer, secondment, redeployment, discipline, creation and abolition of positions, classifications determinations and, appeals. EEO was not a central function and within line agencies many managers were sceptical of how EEO could work through the merit system.

The merit principle obviously had to be applied to real life situations - which were usually not cut and dried. It was imperative, therefore, that the merit principle be interpreted broadly and flexibly to encompass the changing needs of the Service and society. Unfortunately this frequently meant a continuation of existing discriminatory practices but now sheltered under the guise of the merit principle. (Senior Central Agency Manager No. 1)

In 1989, the new Labor Government appointed a number of commonwealth officials to CEO and other Senior Executive Service positions in the TPS. Led by the new Secretary of the DPAC the model agency in introducing EEO was to be the Department of Community Services after the appointment of the first female CEO in 1989. However, by the end of 1990 the Annual Report to Parliament described progress in staff training and development as 'abysmal' (Annual Report 1989-1990 p. 1) and EEO only rated a four paragraph mention where it was stated that 'limited resources have prevented final development of the Department's EEO policy' but that 'some progress was made with a set of guidelines for the handling of sexual harassment cases'. (Annual Report, 1989-1990: p 94). As one of the senior women managers noted:

We were up against some formidable barriers. For example the Prison Officers insisted on calling me 'sir' and saluting as they always had done. Some senior officers would only communicate with me in writing'. (Senior Line Manager, Community Services No. 2)

By the end of 1990 there was a nascent network established consisting of EEO contact officers from the four human services departments (health, community services, education and housing) the CEO from Community Services and, five other human resource managers from other departments. The group only met twice in 1989 and attempted to form a 'women in management group' but this did not eventuate. There were simply too few people and too many other demands.

In 1990 the functions of the Office of the Commissioner for Public Employment were 'shared' with the Department of the

Premier and Cabinet effectively as a mechanism to control adverse criticism of government and the public service by the Commissioner. The transfer of the functions of the Office of the Commissioner to the DPAC in 1990 simply compounded the resourcing problems for EEO which was located in the Human Resource Management Division but without any dedicated staffing. Without any ability to scrutinise many decisions or institute training and development activity the resources of the nascent EEO network was further dissipated.

In the Report to Parliament in 1989-1990 the EEO section rated ten lines in a document over 100 pages. The ten lines stated the future role of the division would be to provide EEO advice and assistance to agencies, to develop an EEO co-ordinators network and, to design professional development programs. (Annual Report 1989 - 1990 Department of the Premier and Cabinet, p. 29)

The Annual Report the following year noted the EEO achievements within the Department (as distinct from service wide) as being the designation of the Corporate Services Manager as the EEO Coordinator for the Department and, one management seminar devoted entirely to EEO. (Annual Report, 1990-1991: pp 47-48) The Report also noted that there was still no reliable service wide data on EEO.

The 1991-92 EEO report in the Annual Report to Parliament from the Department of Community Services consisted of:

The Department developed its EEO Policy and Plan. The primary focus for 1991-92 was on training and awareness raising for managers and middle managers through:

- \* introductory awareness training sessions on EEO run Statewide as part of the management Practices training sessions
- \* one day training sessions for interview panels on staff selection skills and relation between EEO and merit
- \* inclusion of EEO modules in induction and management and supervision courses.

(Department of Community Services, Annual Report to Parliament, 1991-92: 97)

During this time a group of officials from within the Treasury and Finance Department were producing a 'Model Agency' guide under the Financial Management Reform Program, the leading management reform process in the Tasmanian and all other public sectors in Australia, both commonwealth and state. The Model Agency became a template for CEOs and senior managers but the only reference to EEO stated

The agency maintains an employment climate in which agreed standards of merit, excellence and efficiency are valued, encouraged and achieved - thereby adopting equal opportunity principles. (Davis, 1992: 25)

EEO was reduced to good managerialism with no recognition of the causes and consequences of discrimination. The Model Agency listed 20 'next steps' towards achieving the model agency but EEO was not one of them. The effective marginalisation of EEO from the FMIP program (there were no women on the FMIP Committee) simply reinforced the problem of creating an EEO network in the burgeoning managerial climate.

Following the election of a Liberal Government in 1992, there was a major review of the state of Tasmanian finances and government in general. (Curran Report) The Report made a number of recommendations about structural changes to governance in Tasmania including the widespread introduction of commercialisation, corporatisation and privatisation. The report consolidated the perception that debt management and economic reform were the major priorities of government. Social policy issues only rated mention in passing and EEO was not mentioned as part of the desired reform of the public sector.

At the end of 1994 there remained no EEO legislation in Tasmania. The EEO network remained fragmented with constantly changing members. There were no formal connections between levels of government or, for example, between the state public service and the EEO activity within the tertiary sector. Informally the EEO contact officers meet and discuss issues and there is some transfer of personnel between levels of governments and sectors.

The EEO network is more about personal support and sharing of information than it is about change or lobbying. Its hard enough in Tasmania to maintain any management interest in EEO let alone change ingrained attitudes. (EEO Contact Officer No. 3)

In the TPS, EEO has a symbolic presence but relative to other states' progress as measured, for example, by percentages of women in management has been very slow when compared to the Commonwealth. (Tasmanian Government - EEO Legislation Options Paper 1992 Appendix 1). By the time an EEO network began to form in Tasmania the new ideas promoting urgent economic reform were beginning to shape the policy agenda. The network never took hold and the EEO link with the merit principle remained obscure and formalistic to most managers. By 1992 the main strategies being mooted to 'progress' EEO were an 'extensive education program' and the changing of the term equal employment opportunity to 'equal access' to overcome the 'the degree of emotive reaction to EEO'. (Tasmanian Government - EEO Legislation Options Paper, 1992: 7)

### **The Commonwealth Policy Network**

In contrast to the Tasmanian case the introduction of EEO and its development within the APS was carefully planned and argued by a well mobilised aggregated and articulated policy network. The network formed out of the women's movement of the early 1970s and especially from the WEL activity in the mid 1970s. The network effectively incorporated EEO into the mainstream of the reforms of the Whitlam era and embedded EEO discourse in the legislative and administrative infrastructure of the APS.

In the Commonwealth, the PSC has overall carriage of responsibility for EEO under the Public Service Act. The Act requires all APS agencies to develop and implement EEO programs and specifies in some detail the requirements which include

- (a) examines practices in relation to employment matters to identify any practices or patterns of inequality

- (b) eliminate any practices and eliminate or ameliorate any patterns identified as unjustifiably discriminatory
  - (c) inform staff and unions about the contents and results of the Program
  - (d) collect and record information, including statistical information relevant to the operation of the Program
  - (e) assess the program's effectiveness by comparing results against indicators;
  - (f) implement relevant guidelines.
- (Public Service Commission, 1993: 39)

Under the Public Service Act the PSC has designated specific EEO responsibilities. In the jargon of the public service there is 'single point accountability' for various components of EEO. For example designated members of the Senior Executive Service, Regional and Area Directors and Supervisors are responsible for providing leadership and example in implementing EEO and for maintaining a non-discriminatory and harassment free workplace. These requirements are built into Performance Agreements linking pay and promotion to outcomes. Within each Commonwealth department or agency there are EEO Coordinators and/or EEO Advisers and within the service delivery areas there are EEO Contact Officers. EEO Advisory Committees bring together agency representatives and union representatives to advise management on the development, monitoring and implementation of EEO Programs. There are a number of journal type publications by Commonwealth agencies (eg *Equal Opportunities*) as well as extensive text within mainstream academic and feminist journals. There are now numerous interlinked women's groups operating throughout Australia, many with a particular focus on EEO. These include the Women in Management, the Australian Federation of Business and Professional Women and the National Labour Consultative Council.

Increasingly women are finding that . . . problems can be alleviated by establishing networks either on an informal or a formal basis. To many women the value of such networks is the opportunity they provide for mutual support, both in terms of personal confidence building and by sharing and learning from each others experience in the work environment'. (National Labour Consultative Council, 1986: 5)



The Merit Protection and Review Agency provides an avenue for commonwealth public servants to appeal against certain management decisions including promotions and to have grievances considered. The avenue of external review of departmental actions and decisions provides a mechanism for staff from EEO groups in the APS to raise any aspects of concern related to discrimination and EEO.

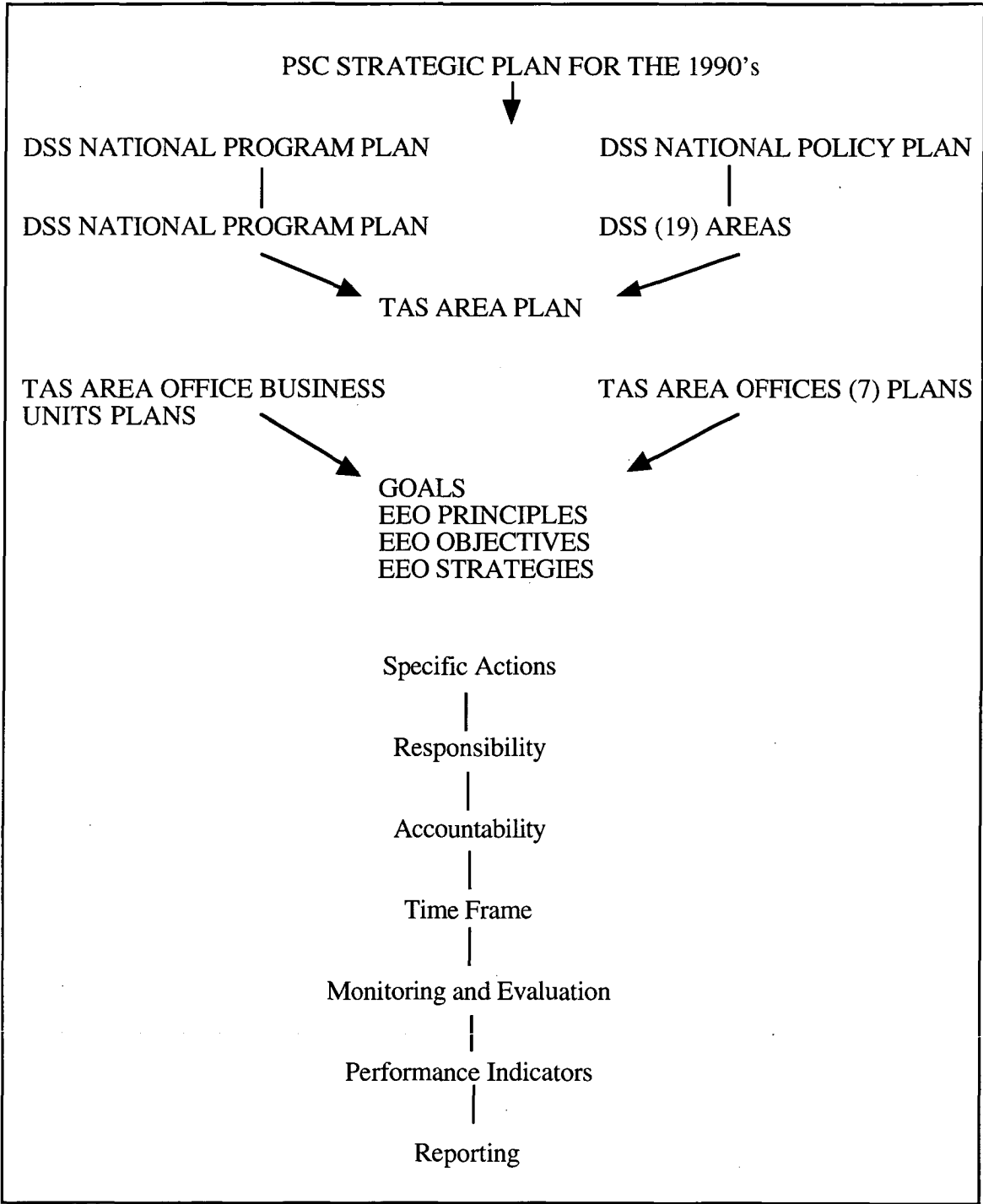
The charter of the Human Rights and Equal Opportunities Commission is to promote acceptance and observance of human rights in Australia. It monitors existing and proposed legislation relating to human rights, and compliance with a number of international human rights instruments. Much of early argumentation over equal opportunity was framed in terms of Australia's responsibilities under the United Nations Universal Declaration of Human Rights.

The EEO policy networks have been able to effectively link into the reform processes of public administration first under the social justice banner and latterly through closer ties with the idea of structural efficiency. The key theorists and practitioners of EEO in Australia have consistently argued that the success of EEO depends, in part, on a core of committed staff who are able to understand and put EEO into practice under circumstances of complexity, conflict and uncertainty.

The Commonwealth approach to EEO is now a mixture of centralised 'direction' (but not control) and 'mainstreaming' through agencies. Using the Department of Social Security as an example the structure is:

Figure 4.2

PSC Strategic Plan for the 1990s



With EEO institutionalised within the APS and with an active centralised network one of the main risks to EEO emerged with the devolution of responsibility to line managers in the late 1980s. Writers including Sawyer (1989) and Burton (1991) argued that this would fragment the network in an environment where the ideas of corporate management were settling into the APS but were undermining equity considerations.

If the EEO function is devolved to departmental level at the present time [1989] this will mean an end of what effective programs there are. There is no evidence that the EEO function has been incorporated into broader corporate objectives at the departmental level. The reality is that few officers understand what is involved and even fewer attempt to put their understandings into practice. (Burton, 1991: 57)

However, devolution only occurred practically and as of 1995 the APS retained a mix of central EEO units and devolved day to day management responsibilities. The combination of a strong network and embedded instruments continued to enable EEO programs in the APS to achieve targets more effectively than in the TPS.

#### **4.7 The Policy Design Work for EEO**

Whilst as an 'insider' the experience of EEO is about argumentation, persuasion, interpretation and complexity this is rarely reflected in the formal documentation. In this section I try to provide, through several examples, a sense of the argumentation behind the consensus documents and objective instrumentality of the official discourse. This, then, is the policy design work.

If, as I have argued, the ideas of EEO are seen as essentially contested and muddled then clearly the 'independent' effect of the ideas is unlikely to be great unless certain other features are present namely strong networks to advocate the ideas and, competitive discursive practices. Whilst the EEO literature to date has focussed on the networks and describing the objectified activity (programs/plans and the like) there has been much less detailed analysis of the construction and effects of the various discursive practices employed.

The case study provides important insights as to the links between ideas and discursive practices.

Whilst the effects of discrimination are agreed there remains debate over the chain of causal events leading to discrimination. Ideas about causation crucially shapes the discursive practices likely to be advocated for reform and the perceptions of the role of advocates in that reform. For example, where the State is seen to cause discrimination but also be a site of struggle and change, then strategies that work within the existing State apparatus are more likely to be acceptable than if the state is seen to be relatively autonomous and transient to resistant discourses and practices. The former strategy of working within the state has been called 'feminist judo - throwing with the weight of the State'. (Eisenstein 1986)

The discourse about EEO is itself part of the power relations, central to understanding the politics of EEO policy. Feminist writers in particular have long recognised the importance of the 'resistant' EEO discourse being positioned to have maximum impact on the dominant patriarchal discourse in society. This has contributed for example to the focus on women's disadvantage rather than men's advantage. As one of the leading Australian writers on EEO states:

The first rule of democratic politics is never to be seen to be taking anything away from anyone. . . It is much easier to sell policies that will address disadvantage or give something than to sell policies that will take away something and thus lose votes. Hence equal opportunity policies are sold because they give opportunities to women and benefit everyone, rather than because they take away advantages. (Eveline, 1993: 63)

This can lead to complex variations on use of language contingent on the audience and the desired impact. For example, there would most likely be differences in language between mobilising a constituency and language used to persuade power holders of the positive features of EEO. (Eveline, 1993: 63) Poiner and Wills (1991) identify seven forms of resistance to EEO which range from disbelief, ignorance and misrepresentation through to generating fear of consequences, passive obstructionism,

circumvention by neglect and, institutional inertia. (Poiner and Wills, 1991: 58-59)

By institutionalising EEO in the discourse and culture of the APS much of the endorsement of the EEO process became self justifying. For example, the proposed APS EEO Strategic Plan for the 1990s was designed by bureaucrats for bureaucrats and since over 95% of submissions received were from within the public sector it is not surprising that the majority of submissions supported the plan. Most of the public sector criticisms were that the proposed plan was too long and did not adhere to some of the conventions associated with a strategic plan. (PSC Summary of Consultations, 1992: p. 12) It was only some unions and some community groups that challenged the 'softness' of the plan and the lack of specific direction. (PSC Summary of Consultations, 1992: p. 14)

There was really only one non instrumental new feature of the plan, an objective to 'communicate a vision' that EEO, as well as describing special measures, 'means *fairness for everyone*'. (PSC Summary of Consultations p. 30 *my italics*). Here a central sectoral idea was being introduced formally into the discourse as though it were readily understood and agreed on by all.

The PSC noted that of all the proposed objectives this generated the greatest amount of debate, with a large number of both strongly supportive and strongly critical statements. The PSC noted that 'surprisingly the source of concern appears to be the concept of fairness for everyone' (p. 30).

The critical comments included arguments that the term fairness was not defined, that it took away from the focus on target groups and that it was a ploy to reassure men that their needs were being considered.

The PSC did attempt to define 'fairness to everyone' as

... measures to provide equality of opportunity, fair procedures for all employment matters, and flexible employment arrangements. ... and,

Fair, sensible operational practices [which] enable all organisations to best use their most valuable and expensive resource - people. (PSC, 1992: 31)

It is not surprising that this left people confused as to the meaning of fairness for everyone. The programmatic discourse of EEO has now been institutionalised at least within the Australian public service and any attempt to introduce new ideas, far from being a simple instrumental task, generates uncertainty and argumentation over meanings and consequences. This is a weakness of EEO ideas, many remain at best routinised, legitimated and symbolic but their meanings at the level of policy activity remains uncertain and require active networks to manage the discourse.

Unable to 'resolve' the issue, the PSC moved back onto safe ground so that the final version of the objective stated that 'fairness for everyone was a simple expression of the merit principle, which is at the heart of the Public Service Act'.

The transformation of EEO from sectoral ideas about patriarchy and the state into administrative ideas about process is illustrated with the strategies for the 1990s in the Commonwealth Strategic Plan:

**Figure 4.3****EEO as an Administrative Idea****STRATEGIES**

- \* Exploration and development of practical ways to integrate EEO more fully into people management
  - integration into staff training and development activities
  - development of models and guidelines
  - dissemination of information on best practice
  - monitoring/evaluation of the implementation of EEO Programs and initiatives for target groups.
- \* Improvement of co-ordination of initiatives for target groups and strengthening of linkages between agencies and units with relevant policy and program responsibilities.
- \* Undertaking of reviews of EEO arrangements in the APS, including management information, reporting requirements, and structures and networks.
- \* Development of a communication strategy with the involvement of senior managers in the Service.
- \* Undertaking of a program of research related to the above objectives.

EEO here is about exploration, improvement of coordination, undertaking of reviews, communication and, research. This contrasts somewhat with the goals statement which has a much more directive and decisive focus to it. But just one step behind the goals statement these more vague and timeless strategies emerge.

It's as if in the 1990s there has been increasing recognition that EEO still lacks a broad base of commitment from many of those responsible for 'implementation' and that there remain many interpretations of what EEO is, could be and should be. The strategies and actions for the 1990s are targeted at shaping commitment and interpretation.

The Public Sector Management Course and Middle Management Modules are directed at middle managers, or potential middle managers as the key group affecting cultural change within the APS [Australian Public Service]. The course and the modules

will set the standard for management training, and among other things will provide a model in which, in the context of managing diversity, EEO principles and strategies are integral to the everyday decision making of managers. (Public Service Commission, 1993: 38)

There are important nuances developing here within the program format. Within the veneer of rationality consensus and objectivity is the recognition of diversity, complexity and contestability. The program format is being modified to enable both consensus and conflict to be simultaneously present meeting both the desire for symbolic order and the recognition of uncertainty and complexity.

As Tribe (1972) would argue, this is the 'anaesthetisation of moral feeling' whereby ideas such as equity and justice have been effectively neutralised in the program format and alternative strategies for change not even canvassed. For example, to discuss strategies such as direct civil disobedience or establishing conflict based recruitment and selection processes become alien forms of discourse. They suggest tension, uncertainty, conflict and change.

Colebatch (1993) notes:

. . . here it is important to remember that language is part of the action. "Policy" is a construct that the participants use in constituting order in complex frames of action; it is an exercise in labelling. Models are superimposed on the action, not simply to describe it, but to shape it. They give meaning to the action, and to the place the participants have in it. (Colebatch, 1993: 44)

In the 1980s the centralised networks were able to construct an agreed discourse and meanings but with devolution of EEO there was some uncertainty as to how the shared meanings would be reproduced and respond to new conditions. The EEO discourse is fragile and relies on strong networks to maintain the sense of simplicity and instrumental rationality. Paradoxically the necessity to proximate EEO seems to strip it of its original intent.



#### 4.8 Discussion

I have argued that the characteristics of the idea of EEO are contestable, complex and abstract. For an idea to be influential these would not seem desirable characteristics. In the case of EEO in the APS the dilemma has been addressed by strong networks developing an agreed discourse over time and through the design of specific policies that appear as objective, instrumental and rational, for example, the merit system. In particular, the use of centralised units within governments and within agencies to coordinate EEO enabled continuity in discourse and interpretation of the ideas whereas the specific legislation based guidelines provided the technical rationality for implementation. With the devolution of EEO in 1987 from central units to line agencies and line managers within agencies there was concern within EEO networks that since EEO relied on central coordination that

if the EEO function is devolved to departmental level at the present time this will mean the end of what effective programs there are. There is no evidence that EEO has been incorporated into broader corporate objectives at the departmental level. The reality is that few officers understand what is involved and even fewer attempt to put their understandings into practice (Burton, 1991: 57)

and

If it is to be taken seriously, let us recognise the field of expertise for what it is: a body of complex knowledge, still in the early stages of development. (Burton, 1991: 60)

EEO is certainly not presented as complex or difficult to understand in most public sector documents. It appears in the program format with all the symbolism of consensual goals and strategies and performance indicators and the like. Just another program to implement within the framework of, and with the toolkit of, technical rationality.

One of the important features of the EEO literature is the presentation of ideas in a rational and simplistic manner. The program format encourages this approach but it obscures contests,

paradoxes and complexity. It also implies that having stated ideas that they will be reflected in the management forms that follow and that connection is axiomatic and not contingent or contested. This is illustrated in the Commonwealth EEO Plan for the 1990s which identifies the 'policy framework' and then the 'policies and initiatives' to promote EEO.

There is a quantum leap between the abstract and formal ideas of the social policy framework (eg a fairer and more just society) and the substantive legislative and programmatic activity of the policies and initiatives.

Proponents of EEO have effectively harnessed much of the dominant discourse of liberalism to justify EEO. The acceptance of the arguments have been facilitated by the stark empirical evidence of past and continuing discrimination and disadvantage in employment (and elsewhere in society). The integration of EEO into the mainstream mechanisms of state activity (eg the program format) whilst being contested in the literature has enabled a degree of progress towards 'equality' albeit still 'half way to equal'.

The ideas of EEO are presented in Figure 4.4:

**Figure 4.4**  
**The Ideas of EEO**

<b>Foundational Ideas</b>		
social justice equality, rights		
<b>Sectoral Ideas</b>	<b>Political Ideas</b>	<b>Administrative</b>
<ul style="list-style-type: none"> <li>* gender</li> <li>* patriarchal state</li> <li>* sexual division of labour</li> <li>* advantage and disadvantage</li> <li>* redistribution of power</li> <li>* inclusion and exclusion</li> </ul>	<ul style="list-style-type: none"> <li>* representation/ diversity</li> <li>* citizenship</li> <li>* affirmative action</li> <li>* compensation for harm</li> <li>* efficiency</li> <li>* legislation</li> <li>* equity/equality</li> </ul>	<ul style="list-style-type: none"> <li>* merit</li> <li>* programs/guidelines</li> <li>* planning</li> <li>* training</li> <li>* targets/quotas</li> <li>* job evaluation</li> </ul>
<b>Policy Design: Case ideas and Arguments</b>		
<b>Tasmania</b>	<b>Commonwealth</b>	
<ul style="list-style-type: none"> <li>* use of existing legislation</li> <li>* devolved responsibility</li> <li>* merit system</li> <li>* review and appeals</li> </ul>	<ul style="list-style-type: none"> <li>* new legislation</li> <li>* central coordination</li> <li>* merit system</li> <li>* review and appeals</li> <li>* link to performance pay/ executive contracts</li> <li>* extensive education and training</li> <li>* network support</li> <li>* targets and quotas</li> </ul>	

All of this may seem elementary to some but the critical point to make is that, notwithstanding considerable policy studies literature in this area, there is a distinct lack of theorising or research that focuses

on the characteristics and role of ideas in policy activity. It is precisely because of this lack of theory and research that basic questions about the explanatory significance of ideas remains both unclear and contested.

The EEO discourse has shifted towards the language of economic rationalism and this poses a number of issues for EEO in terms of positioning a consequentialist idea (efficiency) as a central justification of EEO rather than ideas about citizenship, rights and equity which include both consequentialist and deontological justifications. It does, however, enhance interpretations of EEO as being positive with regard to the market and thereby engender commitment. In this sense it is apparent that policy learning is at work in the EEO networks and in particular the proximate idea of EEO is sufficiently flexible to shift towards alignment with other potentially hostile proximate ideas (eg economic rationality).

Whilst there remains considerable debate over the 'success' of EEO (Sawer and Simms, 1994) it is apparent that the ideas of EEO have influenced policy activity in the public sector throughout Australia over the last 10-15 years and will continue to do so. The account provided here suggests that much of that success can be attributed to the way in which the ideas of EEO were framed to maximise acceptability and, associated with this, the ways in which well coordinated policy networks were able to construct and align EEO to political and administrative ideas. That is, it is not so much that the inherent rationality of the ideas of EEO were effectively argued and accepted (although this was an important factor) but that EEO became part of the culture of many public services. Whilst much of this acceptance of EEO may have been symbolic, by permeating EEO ideas, discourse and practices within senior management strategic planning, performance contracts, selection criteria and reporting, EEO became institutionalised in the public service and the many uncertainties and paradoxes of the constituent ideas became muted in the routinisation of EEO as program activity.

The EEO advocates in the APS network aligned EEO with the emerging dominant ideas of economic rationalism, and this

effectively ensured a less critical approach within the 'economic rationalists' in Canberra, although the evidence suggests that levels of awareness and commitment were low. (Pusey, 1991)

EEO as a cluster of ideas runs parallel with other potentially alternate or opposing ideas rather than directly confronting them. Whilst the capacity of EEO ideas to maintain influence within the dominant ideas of economic rationalism remains contested (Yeatman 1994, Bryson 1992) the incorporation of structural efficiency as an EEO idea has staved off any direct or immediate confrontation. Whilst there have been and remain significant structural and attitudinal barriers to many of the ideas of EEO, it nevertheless moved into a policy space where there were no overt or directly competing policy ideas.

The stark evidence of systemic and widespread discrimination, the emergence of reformist governments; the superior organisation and energy of EEO networks, and the skilful use of the state instruments to design EEO were all central determinants of the proximation of EEO in the APS (but not in the TPS where these features were not present).

The sectoral ideas of EEO played a central role. They created an ontology that highlighted the gap between the rhetoric and the practice of modern liberalism; they generated strong moral claims, and they provided a sense of urgency to act. However, whilst the cause and effect of the problem (patriarchal structures cause discrimination) was well established the immediacy of the solutions remains problematic. The ideas of EEO and, central policy design features, especially the merit system, remain, at best, tangentially connected. This reduced the potential influence of EEO ideas in that they

- \* lack immediacy
- \* are complex and difficult to understand
- \* cause and effect is obscure
- \* may be perceived as incompatible with existing institutional and attitudinal conditions

- \* lacks integration with the program format

They consequently rely heavily on active networks to organise and design ways of overcoming these features.

There are now a number of case studies and reports demonstrating that EEO outcomes vary significantly between jurisdictions and between agencies within jurisdictions. (Half Way to Equal, 1992: pp 12-14) One can suggest that the rather marked differences between agencies and jurisdictions reflects in part the relative strength and commitment of the policy networks to put the hard work into promoting EEO over time. There is increasing evidence that particular individuals or small clusters of people in agencies can make a significant impact on the extent to which EEO is progressed, treated as benign or, covertly or overtly hindered. (Bradley 1992) This high dependence on networks reflects the lack of independent influence of the ideas of EEO. They need support.

To be critical of the significant complexity and contestability of the ideas of EEO is not to pass judgement on whether EEO as a set of practices and the desired outcomes are 'right or wrong' but to simply argue that ideas with such characteristics are less likely to be influential than other ideas. Indeed the history of many ideas in social policy is similar to that of EEO precisely because they tend to raise fundamental moral dilemmas about human life and the ways in which the structure and ideology of societies advantage some and disadvantage others. Within liberal democracies the discourse around such issues is itself a distinctively political issue as is the capacity to address disadvantage by working within the same institutional arrangements that generate disadvantage. Indeed there are few social policy ideas that are not essentially contested (Goodin 1988) which within an environment of objectivism and instrumental rationality suggests that social policy ideas are less likely to be influential than ideas which are more attuned to the demands of objectivism and instrumental rationality.

Arguing that strong networks are crucial to success and weak networks are likely to result in failure cannot account for why the

changes in the public sector in the 1980s have been less successful have mostly been based on ideas of equity. Conversely the ideas that have been most successful have been framed by ideas of efficiency. This suggests a correlation between networks and ideas namely a lack of network mobilisation and/or effective action can be accounted for, in part, by the characteristics of the ideas being mooted as reforms containing the seeds of likely problems in influencing policy. Strong networks are a necessary but not a sufficient condition for success of reforms.

To argue that most efficiency reforms have been successful whilst most equity reforms have been less so suggests that there may well be characteristics associated with the ideas of equity *vis a vis* the ideas of efficiency that account for differential outcomes especially where they are perceived to be competing for the same policy space. That is, the characteristics of the ideas are important in shaping both the potential to mobilise effective networks, and the likely quality of the discursive practices that are generated.

In the case of the ideas of EEO there were characteristics which enhanced the likelihood of influence, especially the capacity to make normative claims on liberal democracy using liberal democratic discourse and in the context of stark empirical evidence of historical discrimination. The effects were clear the exact causes remain contested. The adoption of mainstream administrative ideas of merit and planning and training enabled an apparent bridging of the gap between the political ideas of EEO and policy action.

The absence of an overtly oppositional set of ideas to EEO enhanced the early development of EEO and enabled the discourse to capture the liberal democratic text. However, as happened in Tasmania, the increasing dominance of the ideas of government by the market meant that late efforts to mobilise for EEO were less likely to succeed because the new cluster of ideas were not only permeating but dominating the policy space of reform. When EEO activity commenced in the 1970s there was a 'raft' of reforms being mooted as part of a laborist reform program and this continued well into the 1980s before the particular ideas of economic rationalism began to

dominate. For these reasons the role of the networks became necessarily more significant as determinants of influence as did the necessity of embedding EEO in the institutional framework of the state, especially through legislative and bureaucratic instruments.



## Chapter Five

### The Idea of Concessions in Social Policy

#### 5.1 Introduction

At some stage of our lives, all of us access concessions of one sort or another. A concession is basically a reduction on the market price of a good or a service. Concessions in social policy are a central mechanism through which specific groups of disadvantaged people can access public and private goods and services at reduced cost to themselves. In Australia each year governments forgo some 4.5 billion dollars of income to provide concessions. (Council of Australian Governments: Joint Review of Concessions, 1992) Concessions areas include energy; housing; local government rebates and transport concessions. Most are targeted at disadvantaged individuals and groups most usually those on low incomes. Since 1975 the Commonwealth and State/Territories Governments have been attempting to 'reform' the concessions area. However, despite some 19 years of work and hundreds of meetings and committees, there is still no agreed national approach to a concessions policy. Since 1989 alone there have been some 23 Commonwealth/State or States/Territories only meetings on the broad issue of a national concessions policy.

In this case study, I argue that the continuing impasse to concessions reform can be understood in terms of the essentially contested attributes of the idea of concessions. I argue the idea of concessions is weak. Sectorally the scope, characteristics and effects of concessions are complex and contested enabling the idea to be captured as a political resource for politicians and political parties. Concessions have a high electability component and, individually, can be provided at relatively low cost, making them susceptible to capture for political purposes. Administratively, concessions have been shaped by the idea of eligibility assessment through income security 'cards' and this has entwined concessions in administrative complexity and inextricably linked concessions debates to debates about income support. As with the case studies of social justice and

EEO, I employ the organising framework outlined in Chapter Two to tease out the characteristics of the idea of concessions and assess the potential for influence.

With these characteristics in mind I then explore the networks around concessions and assess their influence in shaping concessions policy. I argue that an early (1980s) sectoral policy network around concessions was frozen out of the policy action in the late 1980s and early 1990s by a new network dominated by central agency officials with an intergovernmental reform agenda. However, the new ideas of reform (micro economic reform, consistency etc) stumbled on the political and sectoral complexities of concessions to simply recreate the impasses of the 1980s. Whilst the central agency network was potentially very influential (it had a clear mandate for reform), it was weak in that it was small, met infrequently, lacked resources, was fragmented and was highly politicised along jurisdictional lines - Commonwealth versus the States, and State versus State.

This, then, is a case study of a weak idea and weak networks. In part because of these features (weak idea, weak networks) concessions have much less of a public profile than social justice or equal employment opportunity. There are many of these relatively unexplored ideas in public policy and this case study illustrates how, through focusing the research lens on ideas, ideas such as concessions can be laid out for analysis.

The ideas I have selected for analysis are by no means exhaustive of the concessions field. They are the ideas that have been central in discourse about concession over the past 15-20 years and which have also been influential or potentially influential. The ideas are rarely presented as ideas in the manner I present them here. Rather they tend to be concealed in the mainstream bureaucratic discourse within abstract goal statements and the day to day argumentation within committee work.

In Section 5.2, I discuss the policy framework for concessions in Australia. In Section 5.3, I discuss concessions as a sectoral idea demonstrating that the apparently simple idea of concessions as a

reduction on the market price of a good or service is beset with many of the fundamental debates within social policy involving need and desert. In Section 5.4, I discuss the political ideas of concessions to demonstrate how concessions have been constructed as a political resource for successive governments and in 5.5, I demonstrate how the administrative idea of accessing concessions through a 'card' system has further enmeshed the idea in complexity and uncertainty. In Section 5.6, I discuss the role of two concessions policy networks - one from 1986-1990 and the other from 1991 -1994 - in shaping the ideas of concessions policy. I will argue the first network which concentrated on sectoral issues was intersected in the late 1980s by a new network with a mandate to reduce the complexity of the system, improve its efficiency and, resolve outstanding issues of overlap in roles and responsibilities between the Commonwealth and the States.

## 5.2 The Development of Concessions Policy

Concessions are a complex field within social policy in terms of their form, scope, eligibility and purpose(s). Concessions policy in Australia is closely connected to income support policy, if only because the State Governments (the main providers of concessions) use the Commonwealth income support eligibility assessment process to establish eligibility for State concessions. This eligibility for concessions is based on a 'card' system, that is, differing categories of income support recipients receive different cards. Different cards entitle the recipient (and sometimes family) to different concessions and I discuss these cards in some detail in Section 5.5 on administrative ideas. This complexity is reflected in, and largely a consequence of, the range of (contested) ideas that underpin concessions.

Concessions in Australia have developed as an *ad hoc* response by governments to specific social and political problems. The earliest concessions to be introduced were energy and transport, introduced by most State governments in the early 1950s when it became apparent that many individuals and families were falling through the income support 'safety net' provided by the Commonwealth. These families faced loss of, for example, electricity to their homes.

The political pressure was directed at the State governments who had responsibility for energy supply. Until 1970 the various payments to individuals and groups in need were not considered as a single policy area. In the mid 1970s and with the 'rediscovery' of poverty in Australia the role of these *ad hoc* payments became a focus for research and debate and the idea of concessions as a distinct policy area emerged. Concessions have grown incrementally over the past 40 years and, for example, in Tasmania there are over nine State Government agencies and five Commonwealth Government agencies administering over 40 different types of concessions.

Concessions provided to holders of the Pensioner Health Benefits Card (PHBC) by States and Local Government include reductions in the charge for council, water and sewerage rates, energy consumption, public transport, motor vehicle charges (registration, insurance and drivers licence) and ancillary health costs. The types and levels of assistance provided varies greatly across the States. Less commonly, some States provide other concessions such as reductions in education fees, land tax and stamp duty, reductions in fire services levies, exemptions from Financial Institutions Duty and discounts on entry to galleries and museums, fishing licences, firewood and boat licence charges. Some of these reflect geographical or climatic differences among States.

In principle many public goods and services are provided at concessional rates. For example, 'meals on wheels' is a concessional service but one which is available to any person who has a medical certificate stating the service is required. However, the idea of concessions as an area of policy has been defined politically and the policy 'definition' excludes numerous concessions which either fit more neatly into other policy areas (eg education and related concessions) or, which are largely non controversial (eg, meals on wheels).

The need to control the 'policy space' has also been a factor in excluding areas such as child care subsidies and housing subsidies from concessions reform for to include either housing or child care

would swamp the concessions field with another overlay of contested ideas about each of these functional areas.

Almost by default it has been eligibility for the Commonwealth cards that has become the major determinant of what constitutes a concession and therefore what is included and excluded from the discourse about concessions. This has effectively locked discussion into a focus on political and administrative ideas. It is this political and administrative context which has dominated the recent argumentation and 'reform' efforts.

### **5.3 Concessions as a Sectoral Idea**

Three ideas frame the meanings of concessions in Australia. First, concessions can be seen as having been designed to alleviate poverty for specific target groups. They supplement resources. Without concessions it has been estimated that an additional 6.5% of the population would fall below the poverty line. (Saunders, 1994) Concessions provide assistance with everyday living expenses for low income groups and keep many out of poverty. In this sense the idea of concessions is very much drawn from abstract social democratic ideas about justice, equality and access. It is connected to the idea of social justice to the extent that both ideas entail a response to conditions that adversely impact on the wellbeing of some people, especially disadvantaged people. In this simple form it is based solely on need without reference to desert or capacity to contribute.

Second, concessions can also be seen as a mechanism enabling all groups in society to access essential (eg energy) goods and services. On this view concessions are about ensuring people are not priced out of the (public) market. This, of course, can also have the effect of poverty alleviation but the argument here is that they are an adjunct to (rather than a component of) income support and that organisations providing essential services have an obligation to provide those services at a price and in a manner which does not exclude people from the service. Finally, concessions can also be understood as a mechanism for encouraging specific groups to participate more in social, sporting, cultural and recreational

activities. On this view concessions are about encouraging health and lifestyle choices especially for the elderly and people with disabilities, about access to non-essential services.

Concessions lead back to the central social policy idea of need, who defines it, who should provide for it, to whom, how, using what resources and with which mechanisms. Whilst it is the central idea underpinning social policy, need is also the most essentially contested idea within social policy. (Goodin, 1988; Jamrozik, 1991) The linking of eligibility for concessions to levels of income and assets - for example to determine eligibility for concessions - produces only a surrogate measure of need. That is, low income is an indicator of need not a direct measure as individuals and families may have other resources to draw upon such as assets. So, as with income support, there are numerous debates about entitlements, target groups, levels and mechanisms of concessions delivery. (Travers and Richardson, 1993; Saunders, 1994)

The idea of welfare based on the safety net for wage earners and their families has created what Castles (1985: 103) has described as the 'wage earners' welfare state' in Australia. This welfare state was premised on relatively full employment, the idea of the male centred family unit and the idea of full time work with adequate wages. This has some significance for the traditional liberal ideas about welfare. In particular in Australia it has contributed to a lack of debate about entitlements to welfare and the interconnectedness of occupational and fiscal policy with welfare policy. Ideas in social policy central to debates about welfare states include citizenship, participation, social democracy, social justice, equity, equality, access and so on. These ideas have not been central in most public policy debate nor the media nor the community at large. One effect of this lack of history and knowledge about the ends and means of welfare is that other ideas can readily take centre stage on the policy agenda. As Bryson (1992) argues it has also contributed in Australia to a rather selective discourse on welfare, one that tends to exclude the 'rich' from analysis and which has neglected gender, race and class. The idea of concessions does not fit neatly into any agreed Australian social

policy framework since there is no agreed policy framework, there are policies, and there are debates.

The argumentation over the purpose and effect of concessions is paralleled in debates over how concessions should best be delivered. Another set of contested ideas emerge. Within the social policy literature debates about mechanisms of service delivery tend to divide along ideological lines. The more minimalist and economic rationalist ideas push towards cashing out concessions and encouraging people to take more responsibility for their own wellbeing. Cashing out shifts responsibility back to the individual to choose how to allocate resources. It also enables public goods and services to be provided at market cost to all and makes concessions 'transparent'. It is argued that it is less stigmatising and administratively more simple to operate. (Cox, 1992) Opponents of cashing out argue that it breaks the nexus between the good/service and access to it. Cashing out is usually categorical (ie all people in a category receive the same amount) and therefore it is inequitable in that people with higher levels of need (eg higher energy bills) will suffer and others will gain. There is basically little common territory in the literature regarding delivery mechanisms. (Graycar and Jamrozik, 1989)

The contested ideas involved in cashing out concessions as a supplementary or integrated payment with mainstream DSS income support payments can be illustrated by a simple case. At present energy concessions (primarily for hydro electricity) levels are a percentage of the total bill. The higher the bill the higher the concessional value in dollar terms (even though the concession as a percentage of the total bill remains constant). The concession is received when the bill falls due. If the energy concession were integrated into DSS payments in all likelihood it would have the following features. It would be a flat rate amount across Australia. This would mean that variations in energy costs between States or locations (eg very hot or very cold locations) would not be catered for. It also means that irrespective of level of consumption of energy the concessional rate would be constant. In addition there would be some individuals and families who do not consume or hydro electricity or

who are not liable for energy costs yet they would receive assistance under the categorical payment system. It would also mean the nexus between consumption and payment would be broken as, unless a voucher system was used (a highly contested mechanism and most unpopular in Australia), there is no guarantee people would use the supplement (or even be able to identify it) as linked to energy consumption. Even if it were linked the nexus between the bill falling due and the cash for concession being available has been broken. The concern of the States and the non-government sector is that some individuals and families would not have the funds when bills fall due and this would put further pressure on State and non-government welfare providers.

The idea of concessions remains contested and confused. It is much easier to describe what a concession is rather than what the 'prime' purpose or effect might be. In this sense concessions is a weak idea. It has no obvious normative claim and it lacks any immediate or strong link with formal ideas. Concessions may contribute to poverty alleviation, improve access to essential goods and services for disadvantaged persons, provide incentives for healthy lifestyles and, demonstrate recognition of prior contribution to society. These however are largely retrospective goals constructed from an expanding set of practices. The lack of clear abstract or sectoral ideas about the form or functions of concessions is only partly due to the contestability of the social policy ideas that frame concessions. It is also due to the introduction of political ideas into the arena, ideas that have become entwined with sectoral ideas.

#### **5.4 Concessions as a Political Idea**

Concessions have become a key political resource of political parties. They provide a relatively low cost method for political parties of demonstrating support for special interest groups such as the elderly, recreational groups or locationally disadvantaged groups. The high electability factor with concessions has produced two effects. First, there has been a steady 'ratchet' effect whereby once introduced concession entitlements tend to be expanded rather than contracted. This has produced numerous anomalies within and between



jurisdictions as scope and coverage of one concession moves out of balance with apparently similar concession types. For example, the extension of transport concessions to superannuants (ie people with levels of income that exclude them from income support payments and therefore access to concessions through the normal 'card' system) has led to claims by superannuants for access to all government concessions. Second, the creation of new forms of 'need' to justify concessions has politicised concessions reform to the extent that few governments are willing to enter into any reform that is likely to reduce entitlements precisely because the loss of entitlement may produce a significant electoral backlash from affected groups.

However, to 'justify' entitlement to concessions on the basis of need alone has proven difficult in cases where need is not readily apparent and so new forms of justification have emerged. The conversion of concessions into a political idea can be illustrated by concessions to older persons or seniors. All States now offer some form of seniors card in general for persons over 60 years of age and not in full time employment. seniors cards provide access to a variety of concessions and each State varies as to the range and value of concessions offered. Some States (WA, QLD) offer an extensive range of concessions similar to those attaching to the PHBC card. Other states such as Tasmania have restricted the seniors card to discounts in the private sector and some minor non-core state concessions such as fishing licences.

Four ideas constitute the political justification for the seniors card. Firstly, seniors cards are a form of recognition for prior contribution to society. They are a sign of 'care and respect' for the elderly. Secondly, seniors cards encourage seniors to engage in more active and healthy lifestyles. By providing transport and health and lifestyle concessions governments and markets encourage more active and healthy seniors. Thirdly, seniors cards go some way towards redressing the imbalance between concessions for income support recipients and other seniors. The seniors cards therefore helps maintain some incentive to save for retirement knowing that at least some valued government concessions will be available irrespective of income and assets levels. Finally, seniors cards

recognise that there are many elderly people on low incomes who fall just outside of the income support safety net. The seniors cards help keep these people maintain a reasonable standard of living albeit through a very blunt instrument of targeting.

The seniors card is an unusual idea because it offers access to concessions on the basis of age or status, not means or need. It is therefore not primarily targeted at disadvantaged people although the proportion of low income elderly is higher than for most other groups in society. However a millionaire over 60 and not in full time employment is entitled to a seniors card as is a destitute elderly person.

There have been concerted attempts to keep the seniors cards 'clear' of the administrative complexity associated with eligibility assessment for income support and concessions. This has been at the expense of equity and produced some paradoxes. Governments do not want to openly be promoting seniors cards for the very rich and so in all jurisdictions there have been nominal attempts to restrict the cards to people who are not in full time employment. This creates the perception that the seniors card has some connection with income and need. The income of many elderly persons is made up of superannuation and other types of retirement investment income. This is not assessed as it leads down an almost endless track of complexity and political angst as individuals and groups dispute what should be assessed as income and what should not. Recent experience with 'deeming' (basically imputing a current income from investments) within the income support area demonstrates the ongoing contested nature of income assessment. To raise the question of assets would add a further layer of complexity and similar issues would arise regarding what constitutes an asset and how they should be assessed. There are a myriad of associated dilemmas such as how to prevent and deal with 'divesting' (hiding or 'giving' assets eg to children to avoid assessment) or the claims of the 'asset rich-income poor' people that they are in poverty - such as people with large rural properties but little income. Seniors cards confuse the 'needs' debate and weaken States' arguments with the Commonwealth regarding the integrity of the States' commitment to targeting the poor. Quite

frequently in Commonwealth/State negotiations on concessions both at Ministerial and officials levels the Commonwealth, when in a tight corner, will raise the seniors card issue with the States. This tends to quickly move the States from any moral high ground they may have achieved.

In terms of electability the seniors card is a success. For relatively low cost political parties can and do use the cards as exemplars of their commitment to seniors and can make new promises for extensions after winning the next election. This is in fact what tends to occur and creates the 'ratchet effect'. Concessions increase but tend not to decrease. All of us grow old and have some degrees of self interest in potential concessions. The population is rapidly ageing and those over 60 are becoming a significant 'grey power' voting block. A seniors card covers most all people over 60 and is highly valued well above the actual value of the concessions (Department of Social Security, 1991: 65) and governments obtain free advertising on the cards with phrases such as 'Your Government Showing Care and Respect for Seniors'.

Self funded retirees and superannuants are increasingly well organised and articulate. The only group in the policy network to oppose the seniors cards have been specific pensioners groups. The major aged lobby groups such as the COTA (Council on the Ageing) network have a degree of ambivalence about seniors cards as many of their members would benefit but if there is a resource transfer other members could lose. The COSS (Council of Social Services) network is in a similar position. Pensioners' Unions tend to oppose the seniors cards because of their concern that it is a blunt instrument of targeting the disadvantaged and because it can be regressive. In many States, Pensioners' Unions also have 'concession cards' and have expressed concern that seniors cards will take members from them. In Tasmania the Pensioners Union sought compensation for loss of card membership and described the Seniors card as simply 'making the fat cats fatter'.

The seniors card is largely a political idea that is administratively located within the concessions area but for many

groups in the policy network it sits uncomfortably with most other concessions. It epitomises concessions as a political idea.

As well as those concessions most clearly a response to material deprivation, there are other concessions that also have a political rationale around the idea of compensation and this adds another level of complexity to the debate by introducing the idea of desert. Various categories of war veterans and their dependants/spouses are entitled to a range of income support measures through the Department of Veterans Affairs (DVA). Whilst those rates are mostly equivalent with those of DSS there are some categories of DVA recipients who receive higher rates. These are persons who have suffered some disability as a result of active service in a theatre of war (traditionally called Totally and Permanently Incapacitated soldiers - known as TPI) or their widows. In addition to normal rates of pension these people can receive additional payments which can vary dependent on the extent of disability.

The issue that arises here for concessions is how to assess the additional payments. If these payments are counted as income then most of the DVA clients would not be able to access concessions or would access them at reduced levels because of their higher income levels. DVA clients and their advocates argue that the additional payments are a form of compensation for disability or loss of a spouse. They raise numerous complex moral issues such as how to 'compensate' children for the loss of a father. Words frequently used include 'moral duty', 'service to country', 'recognition of duty' etc. Their argument is quite simply that to assess the additional payments as income is to misconstrue its purpose and to further penalise people for already ongoing suffering. The compensation is seen as an historical entitlement.

On the other hand if the payments are not assessed as income then another set of anomalies arise. Whilst in some instances the additional payments may be at least partially required to meet additional costs associated with the disability or loss, in most cases the additional payments are additional net disposable income. Thus, for example, these DVA clients may access public housing (as the

additional payment is excluded from calculation) whereas low income earners with less net income are excluded. This appears to clash with the ideas of horizontal equity (that people in like circumstances should receive similar services) and need.

The DVA clients' arguments are basically natural justice reasoning about rights and entitlements based on compensation for prior harm. The argument that they should not be entitled to concessions is largely consequentialist, that is, the DVA clients are not as 'needy' as others. The arguments run parallel but there are few adjudicating ideas to draw upon. The DVA case does not escape the jurisdictional debate as the States argue that the idea of compensation for war service or the effects of war is clearly a Commonwealth responsibility and therefore the Commonwealth should fund all DVA concessions. Within most State and Territory governments some agencies will count the additional DVA payments as income and the others will exclude it. Whilst endless reports recommend rationalisation one way or the other (the dominance of the efficiency idea tends to push towards exclusion) the political factors enter to prevent this. The *status quo* has been hard fought for over the years. Incremental change can be tolerated by the policy network but any attempt at wholesale change is likely to create a major public issue. There is no obvious 'rational' way to deal with the issue as underpinning it are fundamentally different but equally dearly held ideas about rights, needs and entitlements.

Here we have the relatively unusual case in social policy where a group can be said to be deserving (of recognition/compensation) but not in need (as measured relatively with DSS clients). Two incommensurate ideas are at work with different justifications. Both can claim moral legitimacy and both can claim political support. The inconsistencies within and between governments and agencies on how to deal with DVA access to concessions appears irrational but in fact the political rationality is clear. Understanding the form and usage of the ideas behind the issue provides a clear insight into why such inconsistent policies exist and are likely to continue to do so. The administrative ideas that have been brought to bear to manage

this contestability and politicisation have added a further level of complexity to the idea of concessions.

### 5.5 Concessions as an Administrative Idea

The incremental growth of concessions, the contestability of concessions as a social policy idea and the politicisation of concessions has created policy framework characterised by complexity, inconsistencies, uncertainties and an almost impenetrable mass of administrative detail for those seeking to access concessions. These are not characteristics of a potentially influential idea.

The predominant feature of concessions in Australia is the administrative complexity that has enveloped them. In order to target concessions at specific groups and in order to ration the amount of each concession for those eligible persons within groups a system of eligibility determination based on a 'card' system was developed jointly by the Commonwealth and the States during the 1960s. Different cards (which entitle the holder to specific concessions) are issued to different categories of income security recipients. There are now three broad groups of cards issued by the Commonwealth to people who have been assessed as eligible for Commonwealth concessions. The following is a summary only and concentrates on the main cards as at April 1993. In addition to these main cards there are other cards including the 'seniors card' already discussed.

\* the Pensioner Health Benefit Card (PHB) issued by the Department of Social Security (DSS) and the Department of Veterans' Affairs (DVA). This card is issued to all DSS pensioners and long-term allowees and beneficiaries and to DVA pensioners. It entitles the holder to the full range of Commonwealth concessions (basically telephone allowance, mail-redirection, travel on Australian National Railways and, hearing aids). At 1 April 1993 PHB card holders increased from 2.34 million to 2.72 million. Prior to 1 April 1993, access to Commonwealth concessions for pensioners was subject to a separate income and assets test which meant some part time pensioners did not qualify. As a result some 346,000 part-pensioners were not able to secure the PHB card. This entire part-pensioner group now qualifies for the card as the separate assets and income test has been removed as part of the

Commonwealths' reform to the income support system to remove savings disincentives. The 1993 extension of the PHB card and the subsequent demands for compensation by the States is an important component of this case study.

\* DVA also issues Dependent Treatment Entitlement Cards (DTEC) to war widows and Specific Treatment Entitlement Cards (STEC) to veterans with service related disabilities, entitling them to medical treatment at the Commonwealths' expense. Veteran Service Pensioners may also qualify for a Service Pensioners Benefits Card (SPBC) if they satisfy the treatment benefits income and assets test. This group automatically also receives the PHB card. As 1 April 1993 there were 96,000 of these recipients excluding those who also hold a PHB card. These cards and the concessions they could and could not access are important in this case study because the criteria for eligibility here is not primarily low income/assets but compensation for prior harm or personal loss in war. So, not only do the number of cards become confusing so do the ideas behind them.

\* DSS also issues Health Care Cards (HCC) and Health Benefits Cards (HBC) HBC holders include all sickness allowees. There were 83,000 HBC holders at 1 April 1993 which entitle the recipients to Commonwealth pharmaceutical concessions and Pharmaceutical, hearing aid and mail redirection concessions respectively. The HCC is issued to Family Allowance Supplement recipients (basically low income families), Newstart and Job Search Allowance recipients (basically the long- and short-term unemployed), low income earners without children and specific groups of pensioners who are returning to the workforce. At April 1, 1993, there were 1.27 million HCC on issue.

States and local governments also provide a wide range of concessions to people who hold health cards. The estimated total cost of concessions provided by all governments to Commonwealth card holders in 1992-93 was Commonwealth \$1.3B, States \$1.4B and Local Government \$50.5M. All States use both the PHBC and the HCC/HBC for determining eligibility for State concessions. PHBC holders obtain access to the majority of State concessions whilst the HCC/HBC holders can access a much more limited range of concessions the main ones being public transport and ancillary health (eg dental). The idea of the card system to assess eligibility and target concessions has produced a system that is increasingly more complex and fragmented as eligibility criteria and entitlements change in response to changing

need and political demands. Old debates about cashing out concessions and the introduction of vouchers are revived to explore past options.

Concessions do not fit neatly into the program format of the public sector and in particular they sit uncomfortably within government business enterprises as 'community service obligations'. Concessions are usually provided across numerous agencies and levels of government as adjuncts to programs such as transport programs, energy programs and the like. Administration and policy work tends therefore to be dissipated and fragmented. This has led all States and the Commonwealth to centralise concessions coordination within central policy agencies, departments of premier and cabinet and prime minister and cabinet. However, policy development remains within the line agencies in all states. This fragmentation of policy development, coordination and service delivery is the antithesis of the program format.

The apparently simple idea of concessions as a reduction on the price of essential goods and services to enable disadvantaged persons to access them turns out to be a minefield of complex, contested and politicised ideas. Whilst embedded in the idea are limited moral claims (eg compensation for prior contribution for seniors and compensation for prior harm for war veterans) such claims are specific and contestable. Concessions are not a simple idea. At best concessions contribute to solving problems of poverty but since they are only marginal to the main game of income support and since poverty levels remain contested (Saunders, 1994; Travers and Richardson, 1993) the idea of concessions can only be tangentially connected to claims about solving any immediate or widespread problems. By the mid 1980s the loose groupings that had formed around the concessions idea attempted to unravel the complexities of concessions and subsequent networks imposed a further reform agenda on concessions aimed at sorting out roles and responsibilities between levels of governments and, reducing the complexity of the system.



I have suggested that the basic idea of concessions has an architecture of contestability (eg who defines need?), politicisation (eg the seniors card) and complexity (eg the card system to access concessions). Whilst the politicisation of the idea provides most of the potential influence through the electability factor the demands for continuity with emergent ideas of micro economic reform provided the impetus for learning and change within the networks. It is this learning about and change to the idea of concessions that can be tracked through an analysis of the networks that formed around concessions in the 1980s and the 1990s.

## **5.6 The Concessions Policy Networks**

There have been two main networks since the concessions case became a reform issue in the mid 1980s. In the first network there was a predominance of bureaucrats from social policy backgrounds and there was some participation by academics and other social policy specialists eg from the then Social Welfare Research Centre and from the COSS network. This network operated until 1988 when senior welfare managers in the public sector began to take a more active role and the concessions case began to be influenced by more overt administrative and political ideas. The second network emerged in 1989 with the commencement of the Special Premiers Conferences (Later the Council of Australian Governments - COAG) when central agency bureaucrats took the lead role in negotiations.

The first network had formed around the 'rediscovery of poverty' in the early 1980s and a concern to better coordinate concessions and examine the distributional impacts. By the mid 1980s there were additional concerns emerging about the growth in numbers of income support recipients (5% increase in 2 years) and the fact that the characteristics of the income support recipients were changing. Historically concessions had been targeted at groups of income support recipients whose circumstances are unlikely to change. In particular this included aged pensioners and people with disabilities. The other main group of income support recipients, the unemployed, had historically been excluded from the PHB card (and therefore the bulk of concessions) because unemployment was

historically considered as a short term phenomenon and people would have sufficient 'reserves' to cope or could borrow against future earnings. This contrasts with, say, an elderly person who has no superannuation or assets. Such a person is unlikely to be able to draw on 'reserves' indefinitely or return to employment.

The problem from the mid 1980s onwards had been the lengthening of the average period of unemployment and in particular the emergence of a core of long term unemployed. The historical assumptions about 'supplementary' needs varying between short term benefits (unemployment/sickness etc) and long term pensions (aged, disability etc) were no longer true for many people. However, to extend concessions generally to beneficiaries would have created major political, administrative and equity problems as well as creating, for some, a disincentive to return to the labour market. For example a key political problem would have been the resources to fund an extension. A key administrative problem would be how to ensure cards were cancelled for those people who were only on benefits for a short time. A key equity problem would have been how to ensure that all beneficiaries would receive additional entitlements especially those categories of recipients who were least able or likely to access institutional services eg homeless young persons.

The Income Security Sub-Committee of the Council of Social Welfare Administrators had been discussing concessions issues since the early 1970s when poverty first became a public policy issue. At that time it was recognised that for many individuals and families concessions made the difference between crisis and coping. Examination of concessions however raised a number of social policy and administrative dilemmas and until the late 1980s the bulk of the discussions were about issues such as horizontal and vertical equity, poverty alleviation and sources of additional funding to increase the concessions base in all States and the Commonwealth. (Income Security Seminar, 1986: 162) There were discussions about the links between concessions and 'poverty alleviation', 'social wage' and 'guaranteed minimum incomes'. Reforms mooted included extension of all concessions to all card holders (ie extending the most valued concessions to beneficiaries) and increasing concessional

levels to larger households. The concessions policy network at this stage was dominated by people inside and outside of the bureaucracy with specialist knowledge and interest in social policy. Some of the reform discussions took place in seminars and conferences outside of governments such as the 1986 Income Support Seminar sponsored by the COSS and the Standing Committee of Social Welfare Administrators. Concessions were evaluated primarily in terms of equity and in particular the criteria of horizontal and vertical equity. Concessions fell well short on both criteria. The exclusion of beneficiaries from most concessions denied horizontal equity as beneficiaries were increasingly in similar circumstances to that of pensioners who were entitled to the full range of concessions. The simple solution in the early discussion was to extend concessions to beneficiaries and other categories of individuals and families in like circumstances to the pensioners.

The use of 'sudden death' cut off points undermined vertical equity. With many concessions there was a simple income level point below which a person was entitled to concessions and above which they were excluded. Early reports discussed the importance of moving towards 'scaled' (ie concessions entitlements and /or levels vary in direct proportion to changing levels of income) or at least 'notched' (ie a series of cut off points say for every \$20 of additional income).

So, recommended reforms of the early policy network activities centred on ideas about need and equity:

At the very least the following mechanisms would enhance equity within the existing concessions systems.

- \* extension of concessions to all Commonwealth Health Card holders
  - \* targeting additional assistance to non-asset owners
  - \* providing greater assistance to large households
  - \* providing part-time concessions to groups just above the relevant Commonwealth income tests.
- (Income Support Seminar, 1986: 164)

Social policy ideas were important in the early years of concessions policy negotiations (1975-1987) where the debate about

the social wage was still on the policy agenda and where there was still a belief that the overall 'package' of welfare and income support services would alleviate poverty and increase access of the disadvantaged to essential services. However, even at this time it was clear that the ideas of concessions were essentially contested. There was limited agreement on the purposes and effects of concessions; on how best to deliver concessions, on what type of concessions should be provided, how to fund them, to whom, at what level, and what the eligibility criteria should be.

### **5.7 Concessions and the Ideas of National Reform**

As a result of the Social Security Review (1985 - 86) and the recognition of the interdependence of taxation, fiscal and occupational welfare with income support a new interest in concessions emerged. (Graycar and Jamrozik, 1989) In particular the Commonwealth moved towards a more 'active' system with a focus on ensuring better pathways back into employment. It was at this time that the role of concessions came under scrutiny because of their potential to create work and savings disincentives and therefore hinder the achievement of the Commonwealths policy objectives.

For example, until 1993 only those pensioners with relatively low assets and additional income were entitled to a PHB card. Thus many pensioners who had saved for their retirements (or people saving at present) were 'penalised' by being excluded from access to the PHB card. Around this time these people were beginning to become more organised and articulate. A national body of self funded retirees and superannuants had been formed with a high state and national profile. It was argued that if the Commonwealth were to expect people to save for retirement then barriers to concessions should be removed. Whilst the Commonwealth effectively had considerable influence over State concessions through the link with the PHB card it would be important that the States were on side if concessions were to be extended to a new group. The States could always posture around a separate card system and this would further complicate the concessions system and add significant costs for both the states and the Commonwealth. So, the Commonwealth began to

take a more active interest in concessions reform as part of the emergence of the idea of microeconomic reform.

### **The Council of Australian Governments and Concessions**

Parallel to this move to reform the income support system was the emerging push to reform intergovernmental relations and in particular to address roles and responsibilities and reduce overlap and duplication. By the late 1970s there was a sense of crisis in the bureaucracy and in governments. The post war mixed economy of the welfare state had not produced the equality and good life promised to all Australians by politicians. Increasingly the bureaucracy was seen to be inefficient and not producing the outcomes desired by governments or markets or the community. One of the main responses to this perceived crisis was the idea of national reform, the idea that rational planning and coordination at the national level could better manage a federation and deal with intergovernmental issues. (Davis *et al*, 1993: 69) It was to be the ideas and networks of the Special Premiers Conference (SPC)/COAG that were to now shape concessions policy.

Most all trace of the needs debate had disappeared by the time the concessions policy was in the SPC/COAG forum. The only reference to needs issues were as they impacted on the principles for reform. Discussions about levels, adequacy and the social wage were rare and only in passing. The central debates were about compensation and jurisdictional matters (political ideas) and a system that could meet the criteria of the micro-economic reform agenda (a political and administrative idea).

In mid 1990 Welfare Ministers and Administrators sought to have the concessions reform issues listed on the forthcoming (October 1990) SPC. It was the view of Ministers and Administrators that many of the concessions issues involved jurisdictional issues and associated questions about roles and responsibilities. The Commonwealth State Steering Committee organising the SPC agreed to list the Item and a short Paper 'Fringe Benefits' (SPC, 1991a) was

produced using basically the reworked material from Welfare Ministers and Administrators.

The shifting of the concessions reform issues into the SPC process led to the increasing dominance of ideas associated with the SPC process reshaping the concessions debate. A plethora of principles appeared in the various Communiques and working papers of the SPC. Over time two sets of principles were used in determining roles and responsibilities. At the broadest level there were 4 principles for 'reconsidering the agreed allocation of roles and responsibilities among levels of government'. These were:

**Principle 1:** All governments in Australia recognise the social, political and economic imperatives of nationhood and will work co-operatively to ensure that national issues are resolved in the interests of Australia as a whole (The Australian Nation principle)

**Principle 2:** Responsibilities for regulation and for allocation of public goods and services should be devolved to the maximum extent possible consistent with the national interest, so that government is accessible and accountable to those affected by its decisions (The Subsidiary principle)

**Principle 3:** Increased competitiveness and flexibility of the Australian economy require structural reform in the public sector to complement private sector reform: inefficient Commonwealth-State divisions of functions can no longer be tolerated (The Structural Efficiency principle)

**Principle 4:** The Structure of inter-governmental arrangements should promote democratic accountability and the transparency of government to the electorate. (The Accountability principle) (Special Premiers' Conference, November 1991 Communique of Premiers and Chief Ministers)

In addition to these principles, the October 1990 Communique had as Attachment 3, a 'Framework For Determining Roles and Responsibilities in Service Delivery'. Principles here included:

- \* the extent of any national interest and the scope and level of national objectives
- \* the scope for diversity in approach between States including room for flexibility in delivery
- \* unintended consequences and spillover effects that might arise from actions taken by any one State
- \* achieving administrative arrangements that are as simple and cost effective as possible

- \* which level of government can achieve the most efficient system and the best outcome for clients
  - \* the best method of ensuring the services provided under related programs are coordinated, including at the local level, and provide the correct incentives for cost effective delivery.
  - \* the need for clear and direct accountability to the electorate and client group, and,
  - \* achieving effective evaluation and monitoring mechanisms at the least possible administrative cost to government and service providers.
- (SPC Communique, 30/31 Oct 1990: 50)

The framework document provided considerably more detail on the preferred 'model' for managing shared responsibility programs and the model essentially reflected program management planning. Key elements of the model included

clear program policy objectives and priorities which involve the different spheres of government, including clear specification of the target group, overall planning parameters and definition of the standard of service. . . three yearly strategic plans supported by more specific annual plans to be prepared. (Special Premiers Conference Communique, 30/31 Oct 1990: 51)

Here we have the clear shift of dominant ideas away from sector ideas about need and equity to a mix of political and administrative ideas. In particular, administrative ideas about technical rationality begin to emerge as central to the solution of a range of issues. The officials managing the reform process were mainly senior central agency staff and most fitted into Puseys' caricature of the 'economic rationalists' (Pusey, 1991) the process itself quickly adopted the ideas of economic rationalism as the driving force.

As the process of reform proceeded there was increasing recognition that the principles lacked specificity and that numerous barriers remained. In the concessions case both the Commonwealth and the States separately produced discussion papers arguing that their respective preferred options best represented the national interest. Recognition of political rationality emerged:

The national interest represents the enduring interests of the Australian people. The precise definition of the national interest

at any given time is a legitimate task for the ongoing political process. (Special Premiers' Conference, Principles for Federalism, Oct 1991: 2)

There was also increasing recognition and articulation of administrative barriers to change:

The Constitution allocates significant areas of concurrent powers between the Commonwealth and the States. As a result of this and the vertical fiscal imbalance, governments have developed detailed policies and programs in parallel in many sectors. There are competing bureaucratic and occupational empires as resistant to change as any craft guild structure. (Principles, Oct 1991: 2)

The issues to be resolved were increasingly being shaped as essentially political and administrative. The summary of issues for the 1992 SPC included

- \* dependency of State concessions systems on Commonwealth priorities in setting eligibility criteria
- \* lack of recognition of the contribution of States expenditure on concessions to Commonwealth income support objectives
- \* lack of coordinated policy, planning and program management between three levels of government involved in provision of concessions has generated anomalies and inequities both within and between States and Territories
- \* lack of coordination between concessions policy and other social welfare programs, in particular other income support policies.
- \* lack of transparency and hence absence of direct scrutiny in terms of costs and benefits especially where the concession is delivered through a cross-subsidy and
- \* existing arrangements generate distortions in resource allocation with demand for subsidised services being higher than if full cost recovery pricing occurred.

Here the ideas of administrative rationality and economic rationality begin to merge as the solution to the concessions problem. This last point, for example, is very much a micro economic argument which basically says that if a good or service is seen to be 'on special' people will buy more of it than they normally would. Since concessions are permanently 'on special' people over consume



(eg 'over use' of public transport). If however people had cash instead and had to pay the full price the level of consumption would drop to a 'normal' level. Increasingly then these sorts of ideas were dominating the agenda and this was enhanced by the increasing involvement of finance officials through the 'Costings Working Parties' of 1992 and 1993 and the two reports they produced.

These reports noted that concessions were poorly marketed but both reports baulked at the logical conclusion which was to improve marketing. This would have improved access and equity but clashed with the contemporary view of efficiency as minimising expenditure. For example, in Tasmania the take up rate for some concessions (the percentage of the eligible population who take up a concession) varies. For example the take up rate for Local Government rebates in 1993 was estimated at 78% whereas for the energy concession it was over 95%.

Basic marketing of concessions (eg brochures mailed out to DSS recipients) would most likely increase take up rates by some 10-12% for many concessions. However in Tasmania alone the projected additional costs of this was estimated at around \$3 millions per annum at 1993 prices. Here was another conundrum of ideas that appear to negate each other. To improve access and equity would result in increased expenditure. Efficiency as an idea has come to be associated with expenditure reduction (although in principle this would not always be the case) and hence to increase efficiency by increasing costs to the tune of \$3 millions per annum appears paradoxical. Since these excluded clients are unaware of their entitlements they are by definition unlikely to mobilise in opposition to their exclusion from access.

Not surprisingly, then, the relative lack of properly targeted publicity regarding concessions remains.

At the same time many State governments were beginning to question the form and function of concessions. For example in Tasmania in 1992 the Independent Commission to Review Tasmania's Public Sector Finances and the Review of State Taxes and

Charges (1993) both argued that concessions should, wherever possible, be eliminated and replaced by direct cash payments. With the August 1992 Commonwealth Budget announcement of the extension of the PHB card to all part pensioners and the older long term unemployed the concessions reform process shifted focus towards the issue of compensation to the States for the extension as thousands of new pensioners were now automatically eligible for state concessions. The estimated costs to the States of the extension varied from about \$6 millions per annum in Tasmania to over \$50 millions in NSW.

The COAG meeting for June 1993 was presented with 4 main reform options.

- 1 - maintain current arrangements with compensation for the current extension
- 2 - maintain current arrangements with compensation for future extensions
- 3 - joint cost shared national concessions system
- 4 - separate state concession system with no change in allocation of functional responsibilities

Options 1 and 2 were designed to ensure that compensation issues were addressed. Options 3 was the 'rational' option focussing on closer planning between jurisdictions and option 4 was the 'states' only' option. By linking the short term compensation options in with the longer term reform options the impetus of reform was further diffused as the focus of discussion at COAG between Heads of Governments and between officials was increasingly on the terms and conditions of compensation.

The Commonwealth had successfully argued for the removal of the old Option 1 'Transfer of Concessions To the Commonwealth' thereby ensuring the potential link with income support was no longer openly on the table. Since the States were keen to be compensated for the extension of eligibility they were not in a position to 'posture' around this.

The States, mainly NSW, South Australia and Tasmania, continued to posture around the Commonwealth taking responsibility but none were in a position to move to a States' card option if the Commonwealth called the bluff. The tensions between the officials at the time were reflected in the documents being produced.

States and Territories have also objected to the lack of recognition they receive for the contribution their expenditures on concessions make to Commonwealth income security objectives. The Commonwealth, on the other hand, points out that the States have entered this field on their own initiative and have frequently confused rather than assisted income support overall. (Report of the Commonwealth State Working Group - May 1993)

Whilst such jousts were removed from final COAG documents they were the order of the day across the negotiating table. The Commonwealth then directly threatened to leave the Income Security Sub-Committee, to proceed with extensions anyway, and not to compensate the States. The States basically buckled and accepted the offers of compensation for the extension of the PHB card to part pensioners.

On the overall agenda of COAG concessions remained a relatively minor issue with sufficient complex and contested political, administrative and arena ideas to ensure that national reform in any other than an incremental fashion was highly unlikely. The introduction of reform ideas and, specifically, ideas about rational planning and ideas about micro-economic reform potentially appeared as a way of breaking the apparent impasse between the Commonwealth and the States over what to do about concessions. However, the consideration of micro-economic reform ideas only compounded the complexity and contestability of concessions. This can be illustrated by examining the idea of 'valuing' concessions that emerged through two 'Costings Working Party' reports in 1992 and again in 1993.

### **The Ideas of Micro Economic Reform - Valuing Concessions**

The 1992 and 1993 Costings Working Parties attempted initially to 'value' concessions. What at first glance may be a simple question is, in fact, extremely complex and there is only limited agreement on methodologies, let alone outcomes. The debate on 'value' is linked to a broader debate on the 'costs' of concessions and this area is also beset with theoretical and methodological debate.

The valuing issue is about the 'worth' of concessions to a particular person. In principle the value of any concession is the amount an eligible person would be willing to pay to retain the concession. This, however, is affected by numerous factors. For example, a person eligible for a telephone concession is unlikely to value it highly if he/she does not have a telephone. Similarly, the value is contingent on both willingness and capacity to pay. Frequently people 'over utilise' concessions because they are seen to be a 'permanent special' on sale. How is this to be 'valued'? Three forms of 'valuing' have emerged over time: the maximum value per recipient; the average value per recipient, and the expected value per recipient. All three approaches are complex and contested. For example the expected value approach is described as

The appropriate measure may be termed the "statistically expected value" of [concessions]. An expected value may be defined for each concession as the product of the average value per recipient of the benefit and the proportion of eligible pensioners who receive the benefit. . . The expected value of eligibility for all concessions taken together may then be defined as the sum of the expected values of all individual concessions. (Social Welfare Policy Secretariat, 1984: 131)

It is not surprising then that in all recent decisions on concessions regarding transfer of funds between the Commonwealth and the States (eg in compensation for the extension of the PHB card to part pensioners) blunt but simple mechanisms have been used rather than any of the more complicated but technically 'pure' mechanisms. The simple mechanisms include distribution of funds on a per capita basis between the States or a slightly more targeted

mechanism is to distribute funds on the basis of numbers of current DSS recipients.

However whilst simple and apparently 'fair', these mechanisms take no account of complexities such as the average take up rate or the range and value of concessions offered on a state by state basis. Again, the point here is that needs type arguments have become so enmeshed in complexities that political and administrative criteria can readily be invoked to override them.

The Working Parties also focussed on costings issues and attempted to determine such things as a nationally consistent costing methodology, the types of costs that should be included (eg infrastructure, administrative), the basis of costing (eg marginal cost, average revenue forgone, actual cost), eligible costs (eg whether to include Seniors Cards costs) and, numbers and types of recipients in each State.

Both Working Parties (the 1993 Working Party basically replicated the 1992 Working party) ran into considerable technical and political difficulties. Politically the States all attempted to position themselves to maximise the likely compensation from the extension of the PHB card to part pensioners. Some States were unable to produce data and overall the quality of the data was suspect.

The nature of the costings data and the recording methods used by the various authorities does not allow the 'accuracy' of the data to be confirmed. (Special Premiers Conference, Costings Working Party Report, 1992: 2)

Since it was clear the Commonwealth were going to extend the PHB card to part pensioners the 1993 Costings Working Party also attempted to cost the extension. This created another complex set of problems regarding methods of payment of compensation, how to deal with growth factors, the most appropriate take up rate scenario, and the most appropriate basis for compensation in future years. The complexity of these matters can be illustrated by reference to the take-up rate scenario.

Not all eligible clients take up concessions. For example, clients who have their own vehicle are less likely to use public transport than clients who do not own a private vehicle. Not all clients own their own home so whilst the potential number of eligible clients is the total number of card holders the actual numbers will be much less. Similarly some concessions are better known than others and hence have higher take up rates.

Most of these figures are, in fact, known: that is, actual and potential take up rates by concession type. The problem for the extension was the argument that the new population were more likely to access some concessions than others. For example, they were more likely as a group to own their own cars as they (by definition) had greater income and/assets than the existing pensioner population. Similarly they were seen to be more articulate and mobile and thus more likely to know about and access concessions. There was also an argument that for some concessions areas (eg ancillary health) there would be a much higher and more costly take up as many of the new population may previously chosen not to access public health. Concern was also expressed that many of the new group would exit private health insurance thus cost shifting to the public health system.

There was also evidence that the publicity around the extension would result in more people from the existing population becoming aware of concessions entitlement and therefore taking up concessions. The States also sought compensation for this. At the end of the day there was only limited agreement on the relevance of these arguments, limited agreement on methodologies to cost concessions and limited agreement on the quality of available data.

Overall the two Costings Working Parties produced Reports in excess of 300 pages and over 200 Tables. However, at the end of the day the data remained contested and inconclusive, as did the methodologies and the Commonwealth Government in making extension offers to the States reverted to the more basic methodology of identifying a pool of funds and dividing it by the numbers of card holders in each State and then making a 'take it or leave it' offer to

the States. All States eventually accepted after considerable posturing around the inequities and inadequacies of the amount offered. Problems of technical rationality (the costing process) had been 'overcome' by the application of a more basic political strategy. This process also entrenched financial officials into the policy network and further distanced the idea of concessions from any link to the social wage or 'need'.

The complexity of the ideas around valuing and costing concessions were compounded by the emergence of the idea of user pays. Effectively user pays has led to an increasing number of government departments and instrumentalities charging fees for the provision of public services. This has been seen to be an essential plank of micro-economic reform. It controls demand, establishes a transparent pricing system, encourages competition, gives clear market signals and generates revenue. It also tends to target the more disadvantaged groups in society who access such services. In particular, it effectively erodes the value of concessions and more generally the net disposable income of people. The value of concessions are eroded in two ways. Firstly, where market prices are charged, the concessional component may increase, but the overall cost to the concessioner also increases. Secondly, if concessions are designed to ensure access to essential government services then charging can effectively exclude some people irrespective of cost. In this sense user pays is the flip side to a concession in that one effectively increases the price of a government good or service (user pays) and the other reduces it (concession).

The apparently simple idea of valuing concessions had been subsumed by a morass of argumentation about the meanings of concessions, relevance and effects. After twelve months of argument, evidence and persuasion, there was a stalemate between the Commonwealth and the States.

The introduction of the ideas of national reform and economic rationalism quickly encountered complex and contested political and social policy sector ideas. In 1994, the issue of the reform of concessions was transferred off the COAG agenda back to the

Community Services and Income Security Ministerial Council. As at December 1995 there had been no attempt by any jurisdiction to revisit the concessions reform issue.

## 5.8 Discussion

A number of ideas have variously dominated the concessions case. Initially there was a flurry of activity around the social policy ideas of the social wage but these led to unpalatable political and administrative consequences (increasing resource allocation and recognition of the need for a social wage policy). As the key members of the policy network shifted to central agency officials the ideas of reform (of federalism) and electability became paramount. With the increasing dominance of economic rationality micro-economic reform ideas framed the COAG negotiations. The ideas of concessions are presented at Figure 5.1.

**Figure 5.1**

### The Ideas of Concessions

Foundational Ideas efficiency, equity, rights		
Sectoral Ideas	Political Ideas	Administrative Ideas
<ul style="list-style-type: none"> <li>* horizontal and vertical equity</li> <li>* poverty alleviation</li> <li>* needs based planning</li> <li>* social wage</li> <li>* compensation</li> <li>* recognition</li> </ul>	<ul style="list-style-type: none"> <li>* national reform electability</li> <li>* community service obligations</li> <li>* access to essential services</li> <li>* policy flexibility</li> <li>* clear roles and responsibilities</li> </ul>	<ul style="list-style-type: none"> <li>* microeconomic reform</li> <li>* national consistency</li> <li>* substitutability</li> <li>* contestability</li> <li>* transparency</li> <li>* managerialism</li> <li>* programs</li> <li>* planning</li> </ul>
Case Ideas		
Coverage; cashing out; vouchers; electability; capping expenditure, marginal costing; incentives and disincentives; pooling funds; community service obligations; consistency in range, scope, levels, quality; cost shifting; flow on effects, spillovers; take up rates; efficient administration; rationalisation; income maximisation; eligibility; entitlement; portability between states; core and non core concessions.		



Notwithstanding the primacy of the idea of efficiency and the need for coordination, continuity, transparency, reduction in overlap/duplication etc, at the end of the day political ideas have remained dominant over administrative and sectoral ideas. In particular ideas of federalism have framed the discourse, ideas about roles and responsibilities, about horizontal equity, about national reform and about electability.

The political and administrative ideas worked to basically exclude key social policy sector ideas in particular the idea of the social wage which is the broader context of the concessions debate. To raise the issue of the social wage generated considerable political and administrative angst. The social policy debate over the social wage enables it to be readily pushed off the political and administrative agenda in that there was no specific network that promulgated the idea.

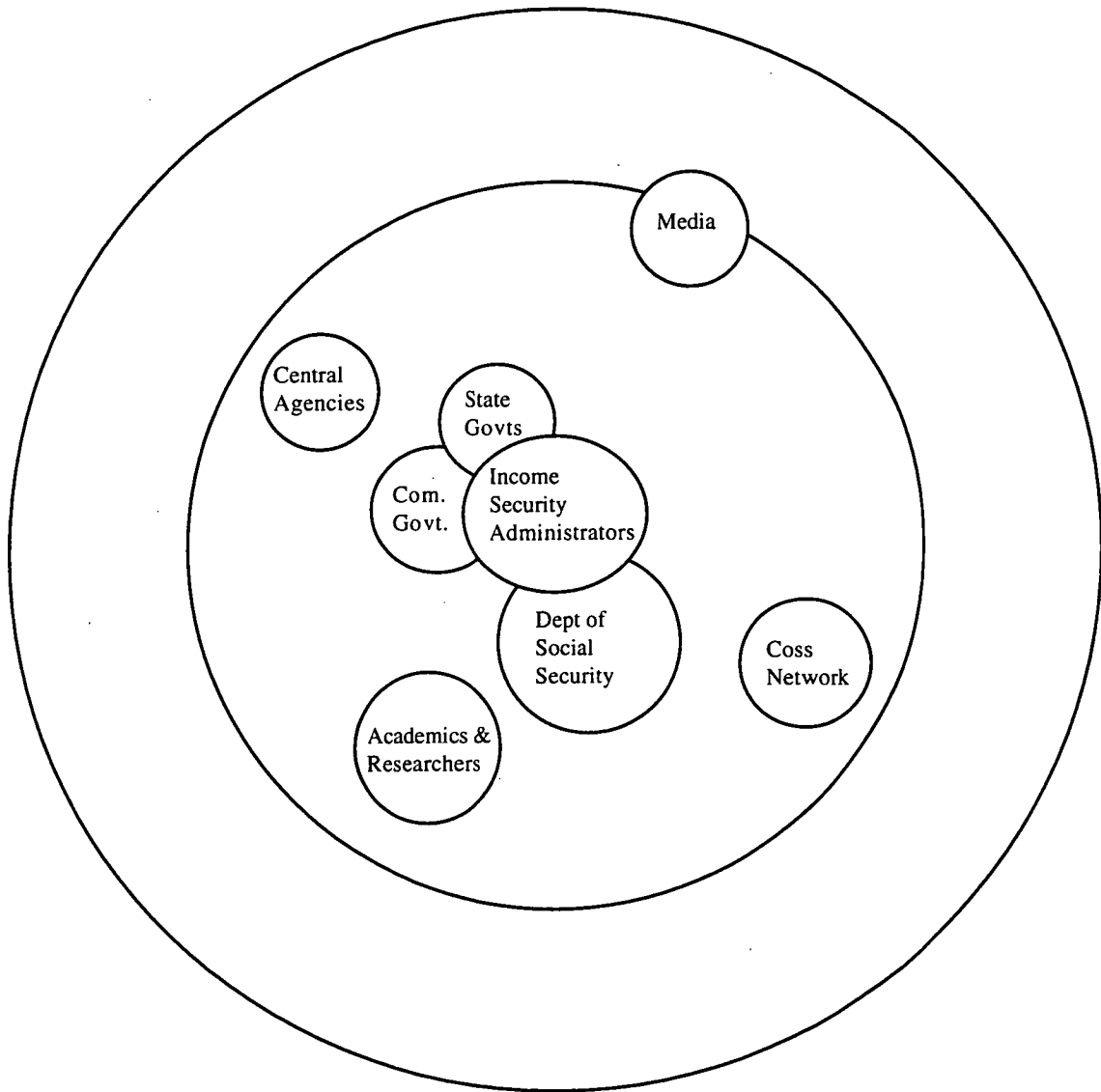
The early discussions raised issues around the social wage and levels and adequacy. Arguments for reform were largely 'client centred'. The more central agencies became involved the more the debate shifted to political and administrative ideas. The threshold social policy issues around the link between concessions and the social wage have been pushed from the agenda as policy networks with political and administrative ideas emerged to dominate the policy space. The dominance of central agencies in the policy network and the political and administrative significance of the more proximate idea of micro economic reform means it is unlikely social policy ideas are going to be able to re-enter the debate for some time. This is because there is(are) no obvious network(s) likely to emerge from the policy community and related to this, there is no obvious alternative cluster of ideas consolidating around opposition to micro economic reform. (Lyons, 1995)

The relationship between policy networks and ideas in each of the cases can also be diagrammatically presented using the model developed by Pross. (1986) By mapping the two networks, one at 1986 and one at 1991, the relative balance of influence and ideas becomes

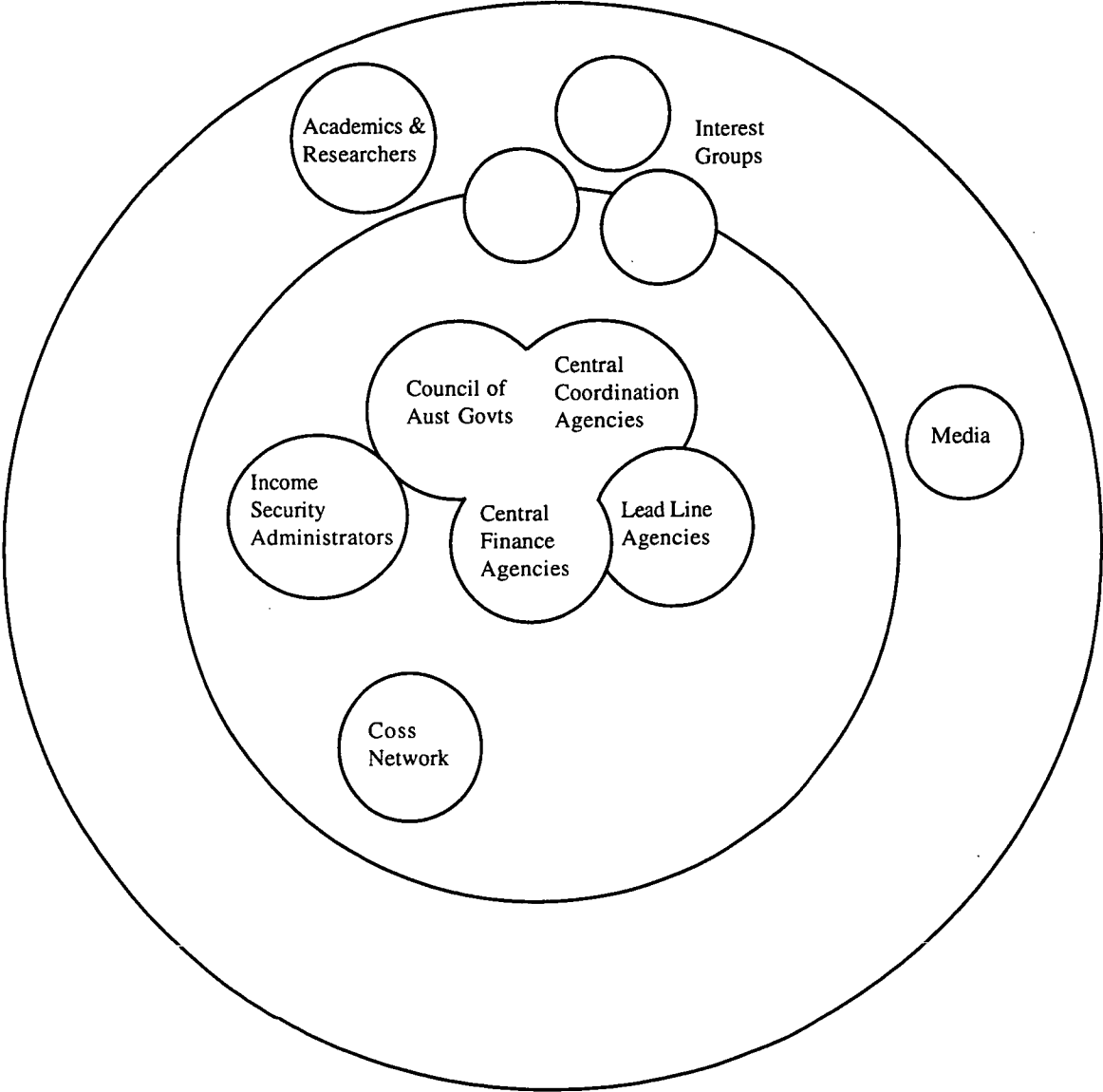
transparent. These ideas are presented in Figures 5.2 and 5.3. Ideas are a central resource of the networks and the positioning of the networks in terms of the locus of authority and intensity of interest are central to understanding which ideas are more or less likely to be temporally influential. In Figure 5.2 it is the social policy groupings within the network that controlled the agenda whereas by 1990 (Figure 5.3) the control of the agenda had clearly shifted to the central agency officials within the SPC/COAG reform process.

In Figure 5.2 the sectoral groupings are central to the action. Whilst organised by the Welfare Administrators they are basically all equal players in the network. However in 5.3 there has been a dramatic shift where central control is firmly in the hands of the COAG Officials with most all of the earlier network (including Welfare Administrators) out of the central action.

**Figure 5.2**  
**The Australian Concessions Network - 1980s**



**Figure 5.3**  
**The Australian Concessions Network- 1990s**



Much of the early debate on concessions focussed on social policy learning, learning about beliefs as to what problems concessions were a response to, who the most appropriate target groups were and how best to deliver services. However, there were fundamental differences within the policy network about concessions and these remained unaltered throughout the reform process. In this sense the social policy learning simply reconstituted the *status quo*, in part because the causal beliefs were inextricably connected to jurisdictional debates. Thus the Commonwealth argued that concessions were a response to inappropriate levels of state charges whilst the states argued that concessions were required as a result of inadequate levels of (Commonwealth) income support for the most vulnerable in our society. In 1990 the SPC acknowledged that the underlying rationale for many concessions remained uncertain and contested. (SPC Fringe benefits 1990: 2)

Much of the concessions debate was taken up with instrumental learning for example through exploration of cashing out concessions and the ideas around voucher systems. This instrumental learning was a response to failures within the network to agree on social policy learning (cause and effect) and the standoff in relation to political learning. The objective mechanisms for learning were the numerous committees, discussion papers and reports that were generated.

Over the period of the concessions debate the numerous forums created the opportunity for both instrumental and policy learning. Whilst the process made clearer various perspectives on the causes of disadvantage and the range of policy instruments that could be applied as a response, the learning was not converted into action. In this sense there was what Wildavsky (1979) calls a 'strategic retreat' by the policy network, that is, given the lack of likely political agreement on reform, the early network simply retreated. The application of the learning would have created a series of political and sectoral consequences unacceptable to the authoritative decision makers. For example, the 'perverse' impact of concessions on people's willingness to save for their retirements became well known in the late 1980s. Basically many people would structure their finances (eg by choosing

low levels of superannuation contributions) to ensure continuing eligibility for concessions after retirement. One policy response to this would be to reduce the disincentive to save by tightening access to concessions for some elderly people. However, any attempt to reduce the level of concessions available to the income earning elderly would have created immediate and widespread adverse political reaction from the well organised and articulate 'grey power' network.

Most apparent in the concessions case was the impact of the dominant ideas of micro economic reform on the central ideas and the discourse. By 1990 (the commencement of the SPCs) the new policy paradigm was shaping the debate to the extent that objectives about needs were being replaced by income generating objectives:

Concessions may also make more efficient use of public sector infrastructures (eg transport concessions) and, to the extent that the concessional price exceeds the marginal cost of providing the service, generate revenue (SPC 'Fringe Benefits', 1990: 2)

In other words concessions could generate income. Whilst the new paradigm introduced a new discourse and new ideas it did not 'solve' the concessions problem largely because the political ideas remained entrenched. The political learning had reached an impasse where the standard position of the Commonwealth and the States/Territories appeared in most all documents and discussions. Whilst the new paradigm introduced new ideas it was not able to 'solve' either the social policy issues or the political issues.

During much of the time of the concessions case the broader income support system was under review and subject to fairly major changes towards a more 'active system' that focused on integrating income support policy with fiscal, taxation and micro-economic reform policy. This took up much of the time and effort of the policy community especially at the Commonwealth level. Concessions ideas were never proximate to mainstream reform processes. They were complex and contested and the problems being addressed were neither immediate or widespread. The ideas of concessions were subsumed in the ideas of national reform.

Whilst the early discussion papers openly canvassed the option of transferring concessions to the Commonwealth on the grounds that they were disguised forms of income support the Commonwealth gradually gained the upper hand in negotiations and the number of references to the income support link began to reduce. From dominating the discussions during 1988-1990 the 'concessions as income support' argument lost much of its apparent impetus in the co-operative environment of the new federalism. The main option (for the States) from 1988-90 (transfer of concessions to the Commonwealth) disappeared from further discussions. From 'the' threshold issue in the 1980s, it had become an historical footnote in later documents.

The States have argued that some concessions are defacto income support because they provide assistance with the everyday living expenses for low income groups. On the basis of this argument, responsibility for these concessions might be seen as more appropriately belonging to the Commonwealth.

On the other hand, it could be argued that concessions are an adjunct to (rather than a component of) income support and that organisations providing essential services have an obligation to provide those services in a manner and at a price which does not exclude people from the service. According to this argument, concessions would be regarded as essentially no different to a range of subsidised services provided to various groups by the States or by State owned, or run, organisations. (COAG Review of Concessions Arrangements, May 1993: 8)

By 1995, the *status quo* essentially remained. All that had been agreed upon was that the Commonwealth may provide compensation to the States (on terms largely determined by the Commonwealth) if and when there are further extensions to card entitlement for Commonwealth priority groups - which by definition extends the number of eligible clients for state concessions.

The virtual exclusion of social policy ideas from the debate and the failure to identify any administratively coherent or consistent reform options left the policy space virtually uncontested to political ideas to dominate and this has occurred. The potential groupings in the policy community that could have mobilised around the social policy ideas (equity, in particular adequacy, access and levels) either

chose not to (in the case of the 'interested' public, the social welfare groups such as the COSS network, the media) or were increasingly marginalised in the policy network (in the case of social policy specialists in human services agencies)

From the outside concessions remain an obvious target for reform. On both equity and efficiency criteria they lack coherence. The rationality of COAG should have been sufficient impetus for reform but the rationality of administrative reform was itself beset with internal paradoxes - for example the effect of marketing would have been to increase demand and expenditure.

This case study highlights the significance of political ideas in shaping the context and form of policy activity and in particular the shaping of sectoral (social policy) and administrative ideas. It demonstrates that where specific ideas (such as concessions) are located within a context of more powerful and organised ideas (federalism; income support and latterly micro economic reform) that those more dominant ideas significantly shape the networks that form and their discourse. This seems to occur under conditions of 'unequal' influence of ideas, that is where the networks, mobilisation and access around one set of ideas is better organised than that of other competing ideas.

In this case dominant political ideas around the reform of federalism and the more basic political idea of electability have combined to exclude continuation of 'reform' of the concessions system. Whilst for twenty years there have been calls for the reform of concessions and numerous forums in which reform has been discussed, in 1995 the goals of reform are essentially the same as they were in 1974, and still no closer to 'implementation'. The concessions system is still complex and difficult to access for clients: categories of clients with 'equivalent' material deprivation levels to clients who access concessions are still excluded from access to concessions; roles and responsibilities between the Commonwealth and the States remain contested as does the purpose and effect of concessions; eligibility criteria are inconsistent within and between jurisdictions,



and there remains argumentation over service delivery modes and levels.

Decisionist approaches to policy would have some difficulty accounting for the apparent lack of progress towards the goals but this largely reflects the problem of goals representing only a proportion of the ideas at work in concessions. Political goals around reform to produce national consistency and a more equitable allocation of concessions simply confuse the other multiple 'goals' of the various central participants but in particular the 'goals' of the bureaucracy in attempting to manage the incommensurate demands of a needs based system (reflecting social policy ideas) and the diversity of federalism (reflecting demands for national consistency and electability).

Similarly, the dominant paradigm of analysis in the policy process, the stages heuristic of, for example, Hogwood and Gunn, simply do not match this case. The policy activity has much more of a 'circularity' about it than a sense of sequential stages. The circularity in turn reflects the constant revisiting by new governments and administrations of marginally different clusters of ideas. But marginal changes to clusters of basically incommensurate ideas and relatively fixed policy networks is unlikely to result in significant change. The central policy activity here is not sequential and rational progress towards an agreed goal but an ongoing iterative process of interpretation and contestation over ideas entering the defined policy space for concessions.

## Chapter Six

### The Idea of User Pays for Public Services

#### 6.1 Introduction

In May 1993 the Tasmanian Government introduced a range of entry fees for people visiting National Parks. In general access prior to this was free of direct charges. The introduction of user pays met with considerable opposition from a wide range of individuals and organisations. By January 1994, the Government had agreed to a review of the fees and had acknowledged that the fees policy would need to change. A 'Review of the National Parks Entry Fee System' was established in February 1994 and reported in July 1994. The Review recommended that the user pays system remain but that a series of changes be instituted to address issues raised. The Review findings were largely adopted by the Government and since that time there has been very limited public protest about the fees.

Section 6.2 shows why it was logical to expect such a course of action from the Government. I will argue that the idea of user pays has characteristics likely to make it influential and in particular alignment to a broader cluster of ideas about economic rationality has already institutionalised user pays in the contemporary discourse of governance. Section 6.3 demonstrates how the particular form that user pays has taken in Tasmania adopted the orthodoxy of economic rationality which excluded or marginalised ideas that challenged user pays. I will argue that in the absence of a broadly based aggregated or articulate grouping within the network opposing user pays, control of the process was dominated by the Government and the bureaucracy which further concealed any contestability of the idea. Section 6.4 demonstrates how the 'impromptu' policy network that formed around the issue developed a 'raft' of ideas to contest user pays. This is an unusual case study to the extent that the debate was a very public one with the media showing intense interest and reporting most all statements and events that took place. This public exposure created a 'transparent' environment in which ideas could be observed. Whereas policy argumentation is often behind the closed

door of the policy networks in this case the argumentation was very public. This provided a unique insight into the range of ideas that can emerge in a particular case.

Since the network was fragmented and largely unstructured much of the debate was played out through the process of the media, especially the print media. In many ways this became the alternative to the committee or structured consultative processes that would normally occur.

In 6.5, I catalogue the resistant ideas to user pays that emerged through the opposing network. I identify and analyse the range and characteristics of these ideas demonstrating that most all of the ideas exhibited only limited characteristics of potential influence. In 6.6, I discuss how the review of the user pays system effectively muted the mobilisation and learning of the emergent network.

## **6.2 The Idea of User Pays for Public Services**

Governments of all political persuasions are increasingly introducing policies of user pays. User pays is largely an accepted orthodoxy within modern governments in that: it is constituted through a range of empirical and moral claims; it appears as an essentially instrumental and benign form of government activity, and it (apparently) reinforces a range of broader institutional ideas such as equity and efficiency. Self (1994 ix) describes the overall 'powerful new paradigm' within which user pays is located as 'government by the market' and in this thesis I have been referring to the paradigm as 'micro economic reform' or economic rationalism.

This new paradigm is increasingly dominant in Australia and has all the features of being institutionalised. (Pusey 1991) Much of the influence of the paradigm comes from its ability to achieve a number of objectives simultaneously. It appears to provide a sound critique of the limitations of existing governance - lack of government transparency, accountability and incentives to be efficient, it appears to provide a practical solution to the problems

identified - privatisation, use of economic instruments and, there appear to be more winners than losers from the paradigm - those who want the services pay, those who don't, don't care.

Much of the potential policy influence of user pays comes from its association with corporatisation, commercialisation and privatisation of government assets and goods and services, all central ideas of the paradigm of economic rationality. The specific arguments advanced for user pays can be summarised as:

- \* ensuring those who use a service bear more of the cost than those who do not use the service
- \* raising revenue to fund further public services
- \* providing a price signal to the consumer
- \* making transparent costs including any subsidies
- \* encouraging the emergence of competition
- \* dampening demand
- \* reducing the likelihood of oversupply and fraud
- \* basing exchange relationships on the individual's rights to choose on the basis of capacity and willingness to purchase

The influence of the idea belies the argumentation and contestation that can emerge in particular cases. There are a number of arguments that challenge user charging. They can be summarised in terms of user charging being seen as:

- \* a form of double taxation
- \* costing more to administer than would be collected
- \* as forcing prices onto altruistic or merit goods
- \* unfairly targeting particular groups, most usually the 'disadvantaged'
- \* assuming a capacity and willingness to pay
- \* discouraging access to services

In principle, user charging for entrance to National Parks is vulnerable to challenges from all of these ideas. For example, this was to be a very transparent form of taxation, a person in a booth demanding money. This contrasts with most other forms of charging

the public which are reflected more indirectly, say, in increased air fares as a result of charging higher landing fees for air transport operators. The idea that charging is a form of 'double taxation' was thus made very transparent.

Within the tourism and parks management industries there was by the early 1990s a growing body of knowledge about the application of economic instruments to the management of natural areas. (Feitelson, 1992; Craik, 1991; Farrell, 1991) Economic instruments are instruments that use the market for a resource to influence a user's consumption and/or to raise revenue. In Tasmania's case it was the latter that was defined as the key issue.

The central idea of user pays in national parks is that the costs of providing visitor facilities should be borne by those who use them most. This idea is linked to a more complex set of ideas about the nature of common property and how should best be managed. The 'problem' for common property from an economic perspective is that

common property lacks the incentive for individuals to maintain and conserve the property; the incentive is to actually maximise the benefit you receive from a resource with little regard for others, as they will be seeking to maximise their own benefits. (Commonwealth Government, 1990: 1)

When this view of common property is linked to user pays a stronger idea emerges which is that by introducing user pays common property can be better protected.

When someone owns a resource or has what is known as property rights to a resource it is in their interests to conserve that resource so as to increase their long term gains. The allocation of rights for common property through economic instruments may provide the incentive to conserve natural areas. (Commonwealth Government, 1990: 1)

The ideas of user pays have also generated another defence of the common property concern and that is to separate out the idea of conservation of common property (a shared community and government responsibility) from recreational use of such areas (an individual responsibility for which fees should apply). In this way

user pays is not seen to directly confront the idea of common property other than to support it (by producing revenue).

Overall five key ideas constituted the user charge arguments in Tasmania. First, the idea that user pays is a fair system, that the costs of providing facilities in parks should be borne by those who use them most. Second, the idea that the financial pressures under which Tasmania was operating left little choice but to engage in micro economic reform. Third, the funds collected from the fees would be returned to the parks resulting in improved levels of service and maintenance of heritage values. Fourth, the idea that in order for Tasmania to 'cash in' on visitors to the State (and to remove an unnecessary subsidy of visitors by Tasmanian taxpayers) fees would be necessary. Since it would be very difficult to distinguish between locals and visitors, all visitors would need to pay.

The Tasmanian taxpayer was providing millions of dollars which could quite properly and almost painlessly be collected from visitors to the State. (Senior Manager Parks and Wildlife Service No 13).

Fifth, people tend to better appreciate the value of things they are required to pay for.

Fee collection may also assist local government and other community groups to better appreciate the economic value of national parks and other reserves. In Tasmania where national parks are not necessarily a source of community pride, this could be an important factor. (Department of Parks Wildlife and Heritage Issues Paper, 1990: 3)

The *pro* user pays network groups were able to invoke moral claims to support the idea. This was achieved in two ways. First the idea of moral responsibility for future generations was a regular theme in press statements and other publications. It was not simply that intergenerational equity would be a consequence of user pays but that there was a *responsibility to act* on behalf of future generations. Second, the user pays network promoted the idea of user pays being

about acceptance of *personal responsibility* for parks and their future. The idea of creating a 'friends of the parks' system was mooted.

The pass and car stickers denotes far more than the simple fact that entrance fees have been paid. the concept is of "membership" of a national parks supporters organisation. (Department of Parks Wildlife and Heritage - Issues Paper, 1990: 11)

By the time of the introduction of the user pays scheme the idea had been converted into providing visitors with an information brochure which invited them to become 'partners in the upgrading and preservation of parks'.

Staff and especially the Rangers collecting fees disliked the 'friends of the parks' idea. It smacked of paternalism and a cheap political trick, which it was. (Senior Manager Parks and Wildlife Service No. 13)

The perceived characteristics of the case ideas of user pays then can be summarised as

- \* a capacity to solve current widespread problems (funding shortfalls)
- \* immediacy (can be implemented and the technology is available)
- \* moral status (it is right and proper to protect our heritage)
- \* clear cause and effect (revenue generated will cause park improvements)
- \* simplicity (user pays)
- \* equity (concessions for some)
- \* congruence with a dominant cluster of ideas (economic rationalism)

These characteristics were perceived by those advocating user pays to be the status of user pays. The characteristics had been objectified and embedded in the thinking about design of a user pays system. Within this context of embedded ideas and a sense of necessary and 'good' policy user pays was introduced in May 1993. In the next section I discuss the range of resistant ideas that emerged and examine the limited policy design work generated to oppose the idea of user pays.

### 6.3 Charging for Entry to National Parks

In September 1991 The Tasmanian Treasury released a Discussion Paper on the Commercialisation, Corporatisation and Privatisation of Government Services (Tasmanian Department of Treasury and Finance 1991). In April 1992 a major report on the state of Tasmania's finances was presented to the Government (Independent Commission to Review Tasmania's Public Sector Finances). In 1992 a further report on the Review of State Taxes and Charges was completed. These three reports promoted as orthodoxy the introduction of user pays as a fundamental reform idea of government. As a priority government was encouraged to proceed with

... the application of commercial management principles to the non-core activities of Government in order to improve economic efficiency through a process of commercialisation, corporatisation, or where appropriate, privatisation. (Tasmanian Government, 1992: Attachment 1)

User pays was part of the central 'philosophy' of privatisation by the Tasmanian Government.

The philosophy is that private enterprise is the force which will lead the State from recession to recovery with the Government's primary goal being to provide the financial environment which will encourage job creation and economic growth in the private sector. (Management Improvement Program, Tasmanian Government, 1993: Attachment 1)

None of these reports identified any potential disadvantages to the introduction of user pays other than 'technical' problems associated with eg charging for collective goods such as the cost of diplomacy or general policing.

The Review of Tasmania's Public Sector Finances concluded 'the pace of economic reform in Tasmania has been far too slow' and that 'Tasmania has the greatest need of all states to implement the strong measures required to modernise the economy and reduce cost'. In relation to user pays the Review stated (1992: 167):



Underpricing appears to be common. . . . These matters are of concern as they impact most importantly on the efficiency with which the government's limited resources are used. Efforts are needed to progress more quickly the implementation of the user pays approach, full cost recovery and transparent accounting for Community Service Obligations (CSOs) and cross-subsidies.

The scene had been set for a policy of user pays to be introduced. However the Government was careful to couch the original policy statement in language which could be seen to shift the responsibility to a previous government.

The Liberal Party Policy Statement read:

The Labor Government's policy of introducing charges for entry into national parks will be backed and we will apply the hypothecation principle to ensure revenue goes back into park development. (Liberal Policy Statements, February 1992: 111)

The process of designing and implementing the user pays policy for entry to national parks was managed by the Department of Parks, Wildlife and Heritage (renamed the Department of the Environment and Land Management in 1994). Within the Department the key players were the Secretary of the Department, the Minister's Senior Private Secretary, the Director of Land Management the Finance Manager, the Communications Manager and the Project Manager. The only agency formally consulted about the introduction of user pays in National Parks was the Department of Treasury and Finance who fully supported the approach being taken and primarily provided advice on revenue matters.

The Department assumed that there would be minimal opposition to the introduction of fees and chose not to enter into public consultations in part because they believed the matter was non-controversial, in part because they believed the public were already 'expecting' the fees to be introduced and, in part because they were uncertain as to who would be targeted for consultation. Two reports from consultants highlighted the benefits of user pays and only noted in passing any likely opposition to the introduction of user pays.

The policy community around National Parks included groups such as the Wilderness Society and the Australian Conservation Foundation neither of whom had a particularly good relationship with the Department or the Government. The previous Department of Parks, Wildlife and Heritage had recently been 'restructured' and within the Department there were many tensions between those supporting 'development' ideas and those supporting 'environmental protection' ideas. The restructuring and subsequent changes in senior staff also fragmented many of the previous linkages between the agency and the policy communities around land management and tourism. This effectively left the Department in complete control and since revenue raising was the immediate concern much of the early discussion was about the range, levels and, administration of fees.

Within the Department, the focus on the primacy of revenue raising was illustrated in the methodology used to strike the fees levels. Fees from throughout Australia were available for comparison but the actual method of determining the fees in Tasmania was to estimate the numbers of people likely to access national parks (using existing 'road counters' and averaging vehicle occupancy), reduce this to 75% (the numbers likely to pay) and then, on the basis of how much revenue was required, calculate the costs of each fee type (eg day passes, weekly passes etc). (Senior Manager Parks and Wildlife Service No13).

The Cabinet Submission was rushed through in December 1992 with the fees policy announced in February and introduced in May 1993. The lack of knowledge or consideration of the tourism industry is apparent in this decision as most tourist businesses operate on a 'forward ticketing' model which can require anything up to 18 months to adjust cost structures. (Department of Parks, Wildlife and Heritage: Issues Paper 1990) Two months warning was somewhat unusual and unhelpful to the industry and immediately generated opposition not just to the fees but to the process of development of the fees policy.

The scene had been set then for a primarily bureaucratic approach to the development of user charging. New forms of charging are being introduced all the time although usually these are introduced within policy communities and after consultation with key groups in the community. In the case of charging for entry to National Parks there was no obvious primary policy community to draw upon in that policy communities around the tourism industry, the environment, land management, and micro-economic reform were all likely to be interested but were not consulted. To have consulted these groups would have at least alerted the Department to the potential range of ideas that could be invoked against user charging. This would have been unlikely to have substantially altered the policy but may well have led to a more consultative process for its introduction and more developed policy design work.

The initial documents on the introduction of fees simply dismissed any opposition to the fees. In one document where the Minister discussed the 'issues' with the fees the only reference to any opposition was

Entry fees were seen as the fairest way of raising the revenue needed to keep our parks world-class. The benefits far outweigh any costs. (Press statement, May 1992).

Overall there was a sense of urgency about the introduction of the user pays policy. There was an uncritical acceptance of the need for the policy, that there were no apparent alternatives and user pays was perceived as unlikely to be controversial.

The assumption was that we had a clear mandate to proceed with introducing park fees and that our main aims were to generate as much revenue as possible with as little political backlash as possible. There was never any discussion about not doing it. (Senior Manager Parks and Wildlife Service, No. 13).

By examining the characteristics of the ideas of user pays it becomes further apparent why it was perceived as a necessary and good step to take.

#### 6.4 The Emergence of a Nascent Grouping Opposing User Pays

Shortly after the introduction of the fees in May 1993 the intensity of media and public interest was heightened by several other State political events. In particular, State Parliament voted itself a 40% pay rise, defended on the grounds of parity with other jurisdictions and a parsimonious approach to pay rises in the past. This created considerable public resentment (including the formation of the Extremely Greedy 40% Political Party) and one avenue for expressing opposition was for people to argue double standards in terms of preaching restraint but 'putting their own noses in the trough'. The ill feeling was exploited by people contrasting this with the lot of the 'common person' being charged more for public services - including entry fees for National Parks.

With the introduction of park fees at around the same time many people connected the two issues in terms of politicians increasing their income and users of National Parks effectively losing income through user pays. This added a degree of media momentum to the opposition and seemed to encourage the media, especially the print media, to give coverage to almost every statement on the issue. For example, the media reported components of all press releases (from both major political parties and the Greens) on the national parks issue from May 1993 to April 1994. At all rallies on the national parks fees issue non parliamentary speakers raised the link with the 40 per cent pay rise although no MPs raised the link possibly because they were all beneficiaries.

For example, one writer who argued for a proportion of existing land tax to be utilised for National Parks concluded by saying

Now, will the \$10 per assessment be additional to what we are already paying in land tax? Unfortunately, because Liberal MPs and MLCs voted themselves a 40 per cent pay increase last year, the answer is probably "yes" but at least we can hold our heads high.

(Letter to the Editor, The Examiner 12. 2. 94).

A number of local communities organised rallies and protests against the fees. There was considerable coverage from all of the

media and some of the rallies attracted over 500 people. This was quite unusual in Tasmania and particularly problematical because of the active support to the protests from business lobby groups. These organised protests created the apparent form of an organised group within the policy networks and key groups did briefly liaise with each other to co-ordinate publicity and the timing of protest action.

The two most vocal groups were the Coles Bay Residents and, the Bakers Beach Residents Association. Coles Bay and Bakers Beach are both holiday towns on the fringes of National Parks, the Freycinet National Park and the Asbestos Ranges National Park respectively. The towns have permanent populations of around 2,000 each swelled to twice that number in the summer holiday times. Since these were the only established population centres largely built around the activities of National Parks they were logical points for organisation. Since most all other National Parks did not have immediate or dependent population settlements nearby other opponents had more difficulty organising on a spatial basis.

Other individuals and groups opposing user pays organised more often around specific interests. These ranged from groups with a direct employment interest (eg local businesses) through to groups such as the 'Society for Growing Australian Plants' who were concerned about people interested in preservation of native species being excluded (because of cost) from entering parks.

The only other organised groups that opposed aspects of the fees were groups such as the Anglers Association and Bushwalking Clubs but none of these groups opposed the overall idea of user charging, only specific aspects especially fees levels and lack of consultation. Overall there were some 23 groups that publically expressed some opposition to user pays but at no time was there any attempt to form a statewide movement or organisation. Apart from telephone calls and sharing of correspondence between the Coles Bay and the Bakers Beach groups there was no other formal contact.

The Coles Bay Residents Association and the Bakers Beach Residents Association both organised public protest meetings, two at

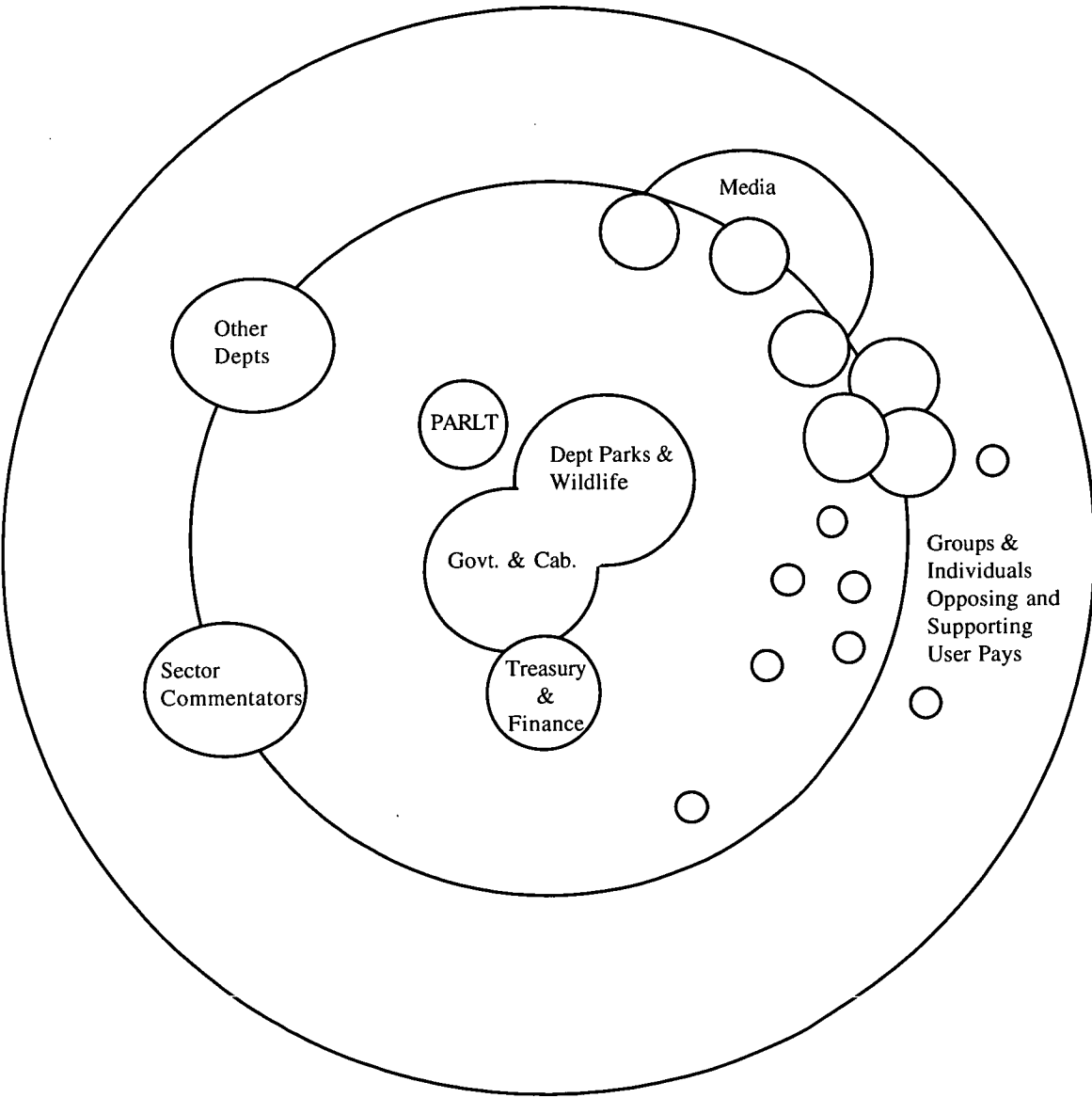
Bakers Beach and three at Coles Bay. Over 700 people attended the March 6 1994 Coles Bay protest which included a convoy of vehicles driving past the Collection Booth and refusing to pay. Attendances at the Bakers Beach protests were less (70, and 50 approx) but received a high level of press coverage with headlines including 'Ready to fight on the beaches'. (Examiner 10 march 1994)

Other government departments saw the debate as a specific issue for the Department of Parks, Wildlife and Heritage and distanced themselves from the debate. Similarly the Opposition political parties only chose select involvement given both the Labor Party and the Green Independents basically supported the idea of user pays. The Labor Party developed a policy of only supporting fees in developed parks which enabled Labor politicians to attend and support the Coles Bay and the Bakers Beach groups. Most media commentators argued for the fees and only criticised the government for its lack of consultation and administrative 'bungles'.

Overall the policy network was dominated by the lead agency of Parks and Wildlife supported by Cabinet and the Government as well as central agency officials. The opposition groups never really gained formal access to the Department or the Government, being diverted instead through the review process. Using the Pross (1992) modelling outlined in Chapter Two the policy network is presented in Figure 6.1. It highlights the closed and centralised nature of the network with the resistant groups always on the fringe of the locus of authority.

Figure 6.1

The User Charging Network In Tasmania 1993



Throughout 1993 and until the announcement of the Review in February 1994 a series of specific ideas were generated to oppose the user charging policy. Not all these ideas challenged the entire policy, many challenged only specific aspects such as the rates for particular parks. Overall the resistant ideas provide a very public lens into the world of policy argumentation and rhetoric. In addition to ideas already noted (eg the idea of double standards from politicians) the main ideas generated are discussed below. These, then, are the main case ideas that emerged. They emerged in forums such as the protests, in newspaper articles, in letters to newspapers, on electronic media interviews and in correspondence to the Department and the Minister. After detailing the ideas opposing user pays in the following section I will analyse their individual and overall characteristics of these ideas to assess the potential for influence on policy activity.

## **6.5 The Ideas Opposing User Charging**

*The idea of user charging discouraging visitors and subsequent loss of income*

Tourist and other business operators began to produce claims of major losses of business as a direct result of the introduction of fees. Whilst initially there were only a 'trickle' of complaints being raised the numbers rose and the media began to print lists of businesses that were 'suffering' allegedly as a result of the introduction of the fees.

Cradle Mountain Lodge manager Brian Edmonds said he knew of businesses that were being sent to the wall by the fees. Maria Island ferry service operator Glenn Parker said his January turnover was down 50% on last year. (Mercury 16 February 1994)

The Hobart Mercury ran several articles highlighting the alleged losses of income with headline titles including 'Suffering businesses call for park fees axe', and, 'Businesses suffer drop in trade'. Overall some 23 separate statements from businesses were reported in the Hobart Mercury between November 1993 and March 1994.



The Government response to these arguments consisted of three arguments, the first to attack the Tasmanian Greens for loss of income to the State through wilderness and other areas being locked up from development. The second was to challenge the 'facts'. The Government was unable to dispute the claims of businesses that they were suffering but it was able to produce figures on the numbers of persons visiting some National Parks. The Government argued that numbers were up although the cogency of the argument was reduced by the acknowledgment that the incomes from the fees was likely to be considerably less than initial estimates. Presumably this meant the numbers of people visiting National Parks was less than the Government had planned for.

The shortfall in revenue simply fuelled the argument that numbers were down, that people were evading the fees and that the Government had mismanaged the process.

The third strand of Government response was to make 'special arrangements' for some businesses.

Hobart Coaches marketing manager John Pamplin said three coachloads of tourists had been turned away from National Parks for refusing to pay the fees since Christmas.

Since then a confidential agreement on cut-price entry for group passengers on Hobart Coaches has been reached, satisfying the company. (Hobart Mercury, 14. 1. 94.)

### *The idea of alternative revenue options*

Rather than charging for entrance to national parks a number of critics argued that there were more efficient and equitable alternative revenue options available. These included additional general taxation charges, additional land taxes and 'value adding' to the national parks and charging for the value added services.

In his keynote address to the 9th Annual Australian Tourism Conference, Sir Frank said that governments needed to value-add to national parks. "There is no sense in applying a mealy-mouthed \$2 user-pays tax when what you want is people

rushing in to pay \$50 because they think the Australian natural environment is so fantastic," he said. (Examiner 15 Oct 1993)

There were a number of proposals to integrate national park fees into the Land Tax whilst others argued that only the high usage and high maintenance cost specialist tracks should attract charges.

The only way to rescue the situation is to abolish general entry fees and introduce or increase fees for 'specialist' experiences, returning the revenue for walking track maintenance and upgraded camping and day use facilities. (Gerry Bates MHA quoted in the Advocate 14 August 1993)

Other ideas for alternatives included a more 'entrepreneurial' approach to park management and a 'Friends of the National Parks' system where members paid an annual subscription of about \$30 in return for information on Tasmania's national parks.

#### *Traditional access rights*

Of all the ideas that emerged to contest user charging the idea of traditional access rights promoted by Tasmanian Aborigines in particular (but also by other groups) demonstrated the lack of preparedness of the Government to such ideas emerging.

Organised through the Tasmanian Aboriginal Centre a group of Tasmanian Aborigines entered a National Park without paying arguing that they should not have to pay to access their traditional land and cultural heritage.

The Minister produced the standard response

I'm disgusted that they are playing games when I would have thought they would have supported the fees because they are re-directed back into the parks to protect Aboriginal culture and heritage. (Ministerial Press Release, May 20 1993, Hobart)

A campaign of civil disobedience followed but there was no attempt to force Tasmanian Aborigines to pay entrance fees.

Other groups then began to use similar arguments. People argued that having made a lifestyle choice to live near National Parks and have access to free recreational pursuits they should not have to pay. The idea of community was regularly invoked.

'Local people believe they have a proprietary interest and feel very keenly the effects of this [entry ] fee policy on such a small isolated community.' (Examiner Wednesday 16 March 1994)  
and

'Mr Batt said last year's introduction of entry fees to National Parks meant residents of the Upper Derwent valley . . . had been denied access to what had been their traditional right to the only suitable area for family gatherings and general recreation in the district. (Examiner March 16 1994)

*Fees for developed Parks only*

Many people took the principle of user pays literally and questioned what is was they were paying for. The idea developed that fees should only apply in those national parks where there were established facilities and that it was those facilities that people should pay for. In particular Labor politicians used this idea to distance themselves from open support of user pays. At the major rally at Freycinet National Park the State Opposition Spokeswoman for National Parks stated

. . . fee charging was not party policy, although fees would be charged for parks such as Cradle Mountain where facilities were already highly developed. (Sun Coast News, March 10, 1994)

The Tasmanian Greens, after a very poor winter snow season, invoked traditional political 'satire' through a press release which stated the Minister,

. . . is considering returning fees to visitors on Ben Lomond who find there is no snow. (Tasmanian Greens Press Release 13 August 1993)

The Tasmanian Greens developed a position that only specialist services should attract fees and in particular the use of the longest and most developed walking track in Tasmanian, the 'overland track'. In part the Tasmanian Greens focused on this as the

Government abolished the \$20 fee for walking the overland track when the general fees were introduced.

As one Opposition member stated:

Visitors to cradle Mountain would not object to [a] fee because millions of dollars had been spent on the park and visitors' centre. . . But people should not have to pay to go to beaches they had been regularly visiting for years. (Mercury 17 February 1994)

Whilst many people objected to paying when they were only 'looking' at the parks the response was that roads and other infrastructure costs within and, associated with, national parks needed to be maintained and therefore the impost was reasonable. The same line of argument was used to defend user charges in unimproved parks.

*User pays leading to a loss of Commonwealth Funding*

Since the most influential argument for charging entrance fees was that funds would be returned to National Parks a number of arguments emerged to challenge this.

Firstly it was argued that the Commonwealth Government may 'deduct' fees collected from the overall allocation of Commonwealth World Heritage funding. In discussions with the State on a new funding formula the Commonwealth had already intimated that there may be an overall reduction in funds and the opponents of fees were quick to argue that this would be linked to the fees issue.

This is a more complex argument and is linked to the 'relativities' debates associated with the Commonwealth Grants Commission. Since the Grants Commission and other Commonwealth processes of allocating funds use both 'need' and 'effort' as criteria for funding the States/Territories face difficult choices in that reward for revenue raising capacity and effort can effectively be eroded through an overall reduction in funding due to reduced levels of need. Whilst the Commonwealth and the State denied any loss of funding there existed sufficient uncertainty over

the 'facts' for the idea of loss of Commonwealth funding to become another argument against the fees.

### *Creating Community Divisions*

It was argued that the fees issue had created tensions and divisions in local communities and whilst there were no claims of threats or other types of intimidation or violence the argument was that it was clearly the Governments responsibility that such situations had arisen. Again this was a difficult argument to respond to although attempts were made to identify 'small numbers of troublemakers' who were acting out of self interest. In general however the Government chose not to respond to this argument.

### *Inconsistent Collection*

A very detailed set of arguments developed jointly around the ideas of inequity and inefficiency. A number of quite large and profitable businesses were located within the National Parks boundaries and in principle each person who stayed at these facilities (primarily lodges) would have to pay the entrance fee to the park. Since numerous people who stayed at these facilities did not actually use the park facilities (eg staff, people at conferences etc) there was considerable opposition to paying fees.

The Tasmanian Greens developed the argument that the Government was favouring certain groups and offering exemptions whilst 'ordinary Tasmanians' had to pay full fees. A series of press releases over 12 months reinforced the idea of discrimination:

'Mrs Putt [Green Independent] said traditional recreational land-users had received special treatment from the Government. "The fear is that the Government is playing favourites with traditional user groups, in particular anglers and skiers, but targeting bushwalkers and families to pay," she said. ' (Mercury 15 August 1993).

From day one the list of partial or full exemptions was considerable. It included children under 18, anyone working in a national park, people who owned property in a national park, people

leasing shacks, teachers or youth leaders accompanying groups of children, certain categories of anglers and skiers, some bus tour operators and some groups on special occasions. Irrespective of the individual rationales for each of these exemptions the net effect was to undermine the idea of equity.

The core administrative idea of continuity had been abrogated and this created a vulnerability in the fees scheme. The logic of the exemptions, however, derive from a more contemporary and arguably more dominant idea about governments not interfering with markets. As soon as it became apparent that a number of businesses were losing revenue the Department responded quickly introducing exemptions.

The list of full or partial exemptions continued to grow. People on boat cruises in National Parks did not have to pay nor did people attending 'memorial services' or 'special events' in National Parks. The situation became even more complex when the Government began to charge differential concession rates for different parks. This however was quite consistent with the argument that different rates should apply to different parks dependent on the facilities provided. The problem was the principle applied to some concessions but not to other concessions or the normal fees. With the introduction of exemptions another form of opposition emerged from people who believed that those exempted most needed the 'education' of having to pay.

. . . the fees are "user fees", and according to the Minister Mr John Cleary, to "educate the public. "If this is, so how could you possibly consider exempting those who have potential to gain the most from use of a national park and who are most definitely a small, insular group of people badly in need of environmental education? A fee would perhaps teach respect of the area and put a value on it.

(Correspondence to the Department 28. 3. 93)

One of the early decisions taken was to limit the amount of discretion available to local Departmental staff in implementing park entry fees. It was recognised that staff, especially park rangers wanted

an equitable, simple and clean system and that this was important to gaining staff support for the fees.

Whilst the initial fees structure was apparently simple the haste with which it was introduced meant that numerous anomalies very quickly emerged. Another early decision was to use calendar days (ie commencing 12.00 am) for the calculation of length of stay and therefore which pass to purchase. Any part of a calendar day was taken to be a full calendar day to avoid complicated calculation of percentages of days. For relatively short stays there were one, three and seven day passes. Unfortunately, this meant that a person who entered a park late at night, for example, 10.00 pm to pick up friends the following morning would have to purchase a three day pass. They were in the park for part of two calendar days. The cost of two single day passes was greater than the cost of a three day pass and so as the Department noted in its Guide for Staff (1993: p.1) 'their best option if not planning to visit any other parks would be the three day pass' even though they were only in the park for less than 12 hours.

Another anomaly that emerged was that anglers who already required a licence to fish were required to obtain an 'Anglers Access Pass'. However a number of the angling sites (lakes and rivers) spanned both National Parks, world heritage areas and areas outside of both National Parks and world heritage and there were three classes of access passes one for National Parks within world heritage listed areas, one for National Parks outside of world heritage listed areas and one for world heritage listed areas outside of National Parks. Anglers moving up and down rivers and lakes between the boundaries were totally confused and as one staff member stated 'this has led to a degree of frustration that has at times boiled over in the form of angry and abusive phone calls and conversations'.

This is what Bernard Schaffer (Schaffer and Lamb, 1984) would call the 'irony of equity', the more rules are introduced to improve equity, access and simplicity the more those same rules can operate to confuse and exclude.

*A form of double taxation*

Many critics pointed to user charging as a form of double taxation and in particular the local groups at Coles Bay and Bakers Beach used this argument frequently.

We already contribute through taxes. Under the user pays system rich and poor are charged the same, which means some people can't afford it. At least with taxes you contribute according to your income. Its totally unfair. It just means we are paying extra on top of our taxes. (Anti -fees Campaigner No. 14)

As Tasmania has a Land Tax, critics were quick to point out the link with National Parks.

No treasurer has ever been able to justify the land tax. It simply raises money from those who own land in Tasmania. Well, let us give land tax a *raison d'etre*. For just \$10 a year on each assessment, Mr Cleary would meet his \$1.3 million budget for maintaining our parks. (Letter to the Editor, Examiner 12.2.94)

Anglers raised the spectre of 'triple' taxation pointing out that in addition to their general taxation contributions they were also required to purchase fishing licences and were now required to purchase park passes. To head off this issue the Department created Anglers Access Passes in July 1993 at a lower rate than normal passes although anglers continued to question the services that they were receiving for their passes.

*Maintaining National Parks and following others*

The Government's most frequent response to the ideas opposing user charging was to reiterate a series of simple propositions regarding the context and the purpose of user charging. First, the Government argued that all other jurisdictions in Australia and many overseas had parallel user charging systems in National Parks.

This argument was accepted by many commentators who were otherwise critical of user charging.



While it is fair that those who use National Parks accept some sort of charge, as occurs in every other state and in most overseas countries, the levy must be fair and reasonable to all. (Advocate Editorial March 9 1994)

The Government was able to identify user pays systems in most other national parks throughout Australia and in other countries. Even where no universal fees systems were in place the Government was able to identify specific user fees, for example, on specific walking tracks.

I acknowledge that there is no universal entry fee system to national parks in New Zealand, but it is important to point out that there are a number of fees that do apply. (Minister Cleary, Examiner 16.8.93)

Second, the Government highlighted the connection between user charging and the upgrading of facilities in national parks.

... very few people recognise the cost of providing infrastructure to enhance the visitor's experience in our National parks and to protect areas from potential degradation due to increased usage.

Money doesn't grow on trees - increased usage means greater costs which can only be met from increased taxation or user charge. (Minister Cleary, Hobart Mercury, 8 Feb 1994).

This was the most consistent type of response by Government to all of the criticisms.

### *Opposition inconsistent*

One of the more consistent ideas that the Government utilised to attack its critics was the idea of inconsistency amongst fee opponents. Whilst this is not so much a defence of the fees it is a method of undermining the credibility of opponents.

The Government argued that the Opposition and the Tasmanian Greens were both inconsistent in their approach to the fees issues. It was argued that both the Opposition and the Tasmanian Greens initially supported the introduction of fees and that they were being hypocritical by now opposing fees. The Tasmanian Greens and

the Opposition Labor Party argued that they supported only some fees in some parks and at a much lower rate than that struck by the Government.

The Government argument about inconsistency typically included statements such as:

"Tasmanian Green MHA, Dr Gerry Bates, is taking a hypocritical stance on entry fees for national parks, the Minister for National Parks and Wildlife, Mr John Cleary, said today.

"He and the Greens have consistently opposed park entry fees," the Minister said.

"If I had accepted his views we would never have collected any fees - then we would have no way of improving our magnificent national parks."

"The view expressed by Dr Bates that action should be taken to recover a possible loss of fees is complete and utter nonsense."

"If I was to accept that argument I would have to take action against previous governments for failing to collect entry fees."

Mr Cleary said that the Greens had forced the closure last year of Benders Quarry, which meant the loss of \$500,000 earmarked for Lake St Clair."

(Tasmanian Government Press Release, John Cleary MHA, March 4 1994)

This idea was used more in parliamentary debates than in (other) public forums. The Government did not focus on this line of argument as it simply begged questions about the consistency of the Governments own approach. It was an idea that had limited use as a political resource for the Government but as members of the opposition parties had also shifted position on a number of occasions they to were circumspect in promoting the inconsistencies in the overall Government position.

#### *Inconsistent rates for users*

Striking an appropriate fee for individual users is in principle a relatively simple micro-economic task of determining the marginal

social costs of each persons actions, that is, the additional costs that their activity imposes on the system. For example, for regular bush walkers the marginal social cost consists of factors such as the increased level of erosion and topographic damage caused by walking in the parks. For those who just visit the parks their marginal social costs would largely be the costs of maintaining the shelters and other amenities.

So, in principle, a fees structure would be based on marginal social costs but in practice this could mean a different charge for each individual. Clearly this would be problematical and so averaging on the basis of, for example, time spent in the park (as measured for example by the length of walking tracks) would be a more viable method of pricing the marginal social costs. Fixed costs on the other hand would lend themselves to being funded through more traditional general taxation measures. These fixed costs would include wages/salaries and overheads for personnel associated with the parks.

However, the decision on the fees for individual users was based not on marginal social costs but on an assessment of what revenue was required, what other jurisdictions were charging and an assessment of what people would be willing to pay. Consequently the final fees structure lacked a clear and simple rationale which created a point of vulnerability for the Government.

When fees were first introduced many people complained that they were complex and difficult to understand. As time progressed the Government entered into a range of 'special deals' with some groups and this increased the claims of inconsistency and complexity.

#### The Minister

. . . has agreed to all sorts of exemptions and exceptions which have destroyed the concept of equity and fairness in the system, so that some people are paying as little as 90 cents to enter a national park, compared to others who have to pay \$5, while those who simply use the beaches apparently don't have to pay at all. Stupidly, the minister removed the one fee people were

happy to pay - the \$20 fee to walk the overland track. (Gerry Bates MHA Press Release 15 February 1994).

Whilst the growing number of special deals all carefully constructed and argued the overall effect was a perception of growing inequity and pork barrelling.

The Minister was obviously doing deals to save his own skin. The fees system was so complicated that even the booth collectors couldn't understand it. It made the Minister look silly. (Anti-fees campaigner No 14)

Of all the criticisms of user pays this one eventually became of most concern to the Government and increasing numbers of people challenged the overall rationale for variations in fees.

*Discriminates against families and the poor*

The initial internal Department of Parks Wildlife and Heritage Issues Paper (1992) on the fees recommended that there be no concessions. Concessions were seen to be complex to administer and to 'distort economic instruments'.

Our view was that any concessions would make the fees system too complicated and messy to administer. Besides, no one was forcing people to pay fees if they didn't want to. (Senior Manager Parks and Wildlife Service No. 13)

It was stated that 'the introduction of fees is not anticipated to create hardship for certain population groups or result in exclusion of some participants'. It was also claimed that

Overseas research further shows that park users particularly those using wilderness areas are above average income earners and hence not overly disadvantaged by user fees. Other costs associated with reserve usage such as travel can also mean that such activities may preclude low income earner participation. (Issues Paper 1992 p.4)

Since most overseas parks already charge then it would be reasonable to ask whether the connection between income and park usage overseas is *because* of fees not despite them. Cabinet decided

however that concessional fees were appropriate for pensioners and children.

The idea of 'double jeopardy' and more generally of differential impact of charging on low income earners and other categories of disadvantaged persons is a complex social policy argument that is contested.

High fees are likely to act as a deterrent to the use of the national parks by local residents, interstate and overseas visitors alike. The fees will also discriminate against already disadvantaged groups in the community. (Letter to the Editor, *The Examiner* 21 June 1993).

The argument is basically that the net disposable income of many 'disadvantaged' individuals and families is significantly lower than that of the majority of wage and salary earners. The proportion of income necessary to purchase essential goods and services means that the uncommitted disposable income is minimal and that any fees will act as a major disincentive to purchase a good or service. Thus the availability of a concession to low income earners does not ensure that level of access will be maintained.

This argument is linked to and reinforced by the 'free rider' problem in economics where some people will go to great lengths to access goods and services which are 'free' and conversely go to great lengths to avoid goods and services for which there is a charge. The amount of the charge is not always the critical factor in people choosing to avoid paying a fee. For example, people avoiding road and bridge tolls will often travel greater distances and at greater cost than if they had paid the toll.

This idea that was never fully developed, in part because there was not a network grouping sufficiently organised to generate the detailed argument or produce the 'facts' to support the argument.

*Due process not followed*

The failure of the Government not to 'consult' on the fees provided another idea for the opponents of fees to attack the

Government with. Numerous groups and individuals argued that consultation was a commitment of the Government and that it had not happened with the introduction of the fees.

The Society for Growing Australian Plants (Tasmanian Region) protests strongly against the manner in which entry fees to national parks have been introduced and are being charged. It feels there was insufficient community consultation before the introduction of the new park fees. . . . (Letter to the Editor, The Examiner, 21 June 1993.)

And in a similar vein:

A cut price entry deal has been done with bus companies - which is good. That the deal is confidential is bad - and stupid. (Hobart Mercury, Editorial 15 January, 1994).

Within this single case some 13 ideas were invoked within the nascent opposing network groupings to oppose the introduction of user pays. This was sufficient in the first instance to force a review of the fees.

## **6.6 The Review of National Parks Entry Fee System**

In January 1994 the State Government announced a review of the national parks entry fee system. The Terms of Reference were:

1. The fairness and equity of the present system for park visitors;
2. The benefit or impost on business operators in or near parks
3. The appropriateness of the current range and cost of park entry fees;
4. The current enforcement of the system, and
5. the desirability of community involvement in determining the use of funds raised.

(Tasmanian Government - Review of National Parks Entry Fees 1994: 1)

Some 158 submissions were received by the Review panel with the majority focusing on dissatisfaction with the current fees system, which was regarded as complicated and confusing, highly priced and

involving some anomalies. (Tasmanian Government - Review, 1994: 2)

The Panel acknowledged the clash of ideas with the introduction of user pays:

. . . the Review panel was conscious of the need to adopt a number of guiding principles, such as certainty, simplicity, equity, cost effectiveness and accountability. Nonetheless, adoption of the user pays principle inevitably involves a trade-off between revenue generation, administrative efficiency, the diverse demands of clientele and must not serve as a disincentive to park visitation. Overall, design of the park entry fee system is not a simple matter. (Tasmanian Government - Review, 1994: 3)

The Review recommended a simpler and lower fees structure; more community involvement in planning about parks, and closer tying of fees generated to specific park improvements. Effectively the Review channelled and dissipated much of the energy of the debate and after the release of the Final Report in June 1994 the level of public opposition to the fees dropped as did media interest in the issue.

## 6.7 Discussion

In this case a range of ideas were invoked and interpreted to counter the idea of user charging for public goods and services. The policy argumentation and rhetoric was largely fought out in the media rather than in the more contemporary committee form of modern public sector policy activity. The ideas in the case of user pays are presented at Figure 6.2.

**Figure 6.2**  
The Ideas of User Charging

<b>Foundational Ideas</b>		
participation, rights, equity, quality of life		
<b>Sectoral</b>	<b>Political</b>	<b>Administrative</b>
<ul style="list-style-type: none"> <li>* maintain and protect parks</li> <li>* rationing access of heritage</li> <li>* common heritage</li> <li>* accessibility</li> <li>* viable industry</li> </ul>	<ul style="list-style-type: none"> <li>* government as guardian</li> <li>* consultation</li> <li>* user pays</li> <li>* fiscal responsibility</li> </ul>	<ul style="list-style-type: none"> <li>* efficiency</li> <li>* consistency</li> <li>* reform</li> <li>* simplicity</li> <li>* use of economic instruments</li> </ul>
<b>Case Ideas and Arguments</b>		
<b>Supporting User Pays</b>	<b>Opposing User Pays</b>	
<ul style="list-style-type: none"> <li>* maintain park quality</li> <li>* efficient</li> <li>* common/best practice internationally</li> <li>* increase appreciation of parks</li> <li>* locals should not subsidise visitors</li> <li>* gov't intergenerational duty</li> </ul>	<ul style="list-style-type: none"> <li>* fees for developed parks only</li> <li>* charges inconsistent</li> <li>* inefficient collection</li> <li>* business failures</li> <li>* alternative revenues available</li> <li>* system complex</li> <li>* reduced access to local community</li> <li>* facilities/traditional lands</li> <li>* altruistic goods should not be priced</li> <li>* a form of double taxation</li> <li>* lack of consultation</li> <li>* unfair targeting of those least able to pay</li> </ul>	

Much of the influence of the opposition to the park fees seemed to lie in the range of ideas that were generated. These ideas linked into important administrative (eg efficiency, consistency), political (eg consultation) and sectoral (eg common heritage) ideas to initially weaken the thrust of user charging in this case. However, these ideas were never clustered to form a 'new' idea that could challenge user charging.



Many of the case ideas in 6.2 are incommensurate whilst others are opposites. For example the arguments about access to traditional lands have no direct links with other opposing arguments such as the double standards of politicians in relation to granting themselves a 40 per cent pay rise and then introducing user pays for the public. The opposing idea of business failures was contested by the advocates of user pays who claimed the system would generate more business through more attractive parks. One of the many research issues emerging from this thesis would be to examine in more detail the commensurability of case ideas and the impact that has on the policy design work of the network. In this case there seemed a 'bunch' of ideas opposing user pays that did not fit any specific 'lock' (to use the Hood and Jackson language) partly it seems because they did not 'bunch'.

The Review of National Parks Entry Fee System was able to address most of the administrative ideas that challenged user charging. In particular the Review could be seen to have addressed the ideas of: lack of consultation; inequitable charges; inconsistent application of rules, and administrative inefficiency.

This case illustrates that single case ideas on their own tend to be weak when faced with an institutionalised idea. That is, to be influential, ideas seem to have to both cluster to form at least the framework needing an active policy network to promote them to the stage of clustering in a relatively simple and consistent way. In this case study the ideas opposing user charging never quite reached either stage. That is they never really clustered and a policy network did not emerge in any aggregated or articulate way.

The case study also highlights an interesting feature of proximate ideas and that is their capacity to be powerful without having to fully activate the policy network. In this case user pays as an idea was never directly challenged and was able to fend off all of the individual opposing ideas that were generated. Much of the influence of user pays emanated from a capacity to reflect an 'accepted' orthodoxy such that its foundations are not challenged.

The Review Panel noted

'Although a number of submissions indicated opposition to entry fees in general or preferred a general levy on car registration, land tax, or visitors to the State, most commentators accepted the principle of user pays, but sought a simple and less costly arrangement.' (Tasmanian Government - Review, 1994: 2).

User pays developed what might be called a consolidated legitimacy which does not require constant reinforcement since that reinforcement is effectively embedded in the meanings of the idea and its institutionalisation.

This case also sheds light on the policy learning process associated with ideas. It suggests that the way in which influential ideas emerge is through a process of juxtaposition with other competing ideas in a series of case settings. The proximate idea emerges through a series of specific ideas being generated and discussed in particular cases, such that over time, where there is both coalescence in terms of the content of the ideas and in terms of networks to aggregate and articulate the ideas, then there is the opportunity for a proximate idea to form.

Since the terms of reference of the Review of Fees were essentially limited to instrumental issues it is therefore not surprising that instrumental learning was the major outcome. This instrumental learning was reflected in the changes made to the methods of fees collection, the fees structure, use of funds generated, fees enforcement and decision making processes for the future. There was little evidence of social policy learning other than an increasing, if reluctant, acceptance by the opponents of user charging that the social construction of the problem (revenue required to maintain parks) was unlikely to be redefined. Political learning from the advocates of user charging was apparent by the finalisation of the Review. The Review made recommendations in relation to the education of the public about the fees and the need to market modifications of the system to local businesses and the public. The Review also recommended the involvement of local communities in

regional planning development adjacent to Parks and recommended the Government foster a 'Friends of the Parks' system.

Many of the resistant ideas were tested for political and social salience in the user pays case. Thus, for example, whilst there were no submissions to the Review of Fees from the Aboriginal community(ies) some 12 months later a Review of Coastal Zone policy attracted a detailed submission arguing the 'free access to native lands' ideas. These ideas reflected the interests and values of specific individuals and groups who used them to gain access to the policy agenda and attempt to shape change.

After the Review it was clear to the media and the fragile network that sufficient compromise had been made to dull the public criticism of the user pays policy and that the level of public interest in the debate was unlikely to be sustained. This political learning led to the media and most of the opponents of user charging to reduce or cease their public opposition to user charging. Essentially, the role of the media followed the 'Issue Attention Cycle' of Downs (1992) where after initial interest the intensity of coverage would decline over time as new issues emerged. Nonetheless, without the media there would have been no obvious alternate mechanism to frame the issues and generate interest.

This case illustrates the importance of the media and the formation of networks to any learning process. Without the media interest the resistant ideas would not have been exposed to the public and the fragile network formed. Since the policy issue was framed in terms of instruments rather than social policy learning it was not surprising that most of the learning was instrumental and political. It may well be that more mature networks and a longer temporal frame is required before social policy and paradigm learning is likely to take place.

In this case some, but not all, of the preconditions for the emergence of an influential resistant idea(s) were present. Present were a range of specific ideas opposing user pays and some of those ideas had potentially influential characteristics such as the idea of free

access to common property which, as Reich (1990) puts it, 'resonates with historical experience'. Also present was the basis for a policy network to form in terms of shared interests and a propensity to act.

The case of user charging also sheds light on the processes through which resistant discourses emerge to challenge dominant ideas. It was the activity of disparate groups and individuals rejecting the application of user pays that initially generated a medley of resistant ideas. Only those ideas which created immediate tensions for the dominant doctrine were addressed (eg administrative inefficiency, inconsistencies in fees rates and, lack of coordination). These changes effected by the Review only altered some of the instruments of policy and the detail of how those instruments functioned, the goals remained intact.

However, only a nascent network formed in part because of the geographical dispersion of the potential members, in part because there was no convergence of argumentation opposing user charging and in part because the review of user pays effectively produced a series of compromises which muted much of the criticism. The idea of user pays was influential in that it provided clear direction in terms of how to act in relation to National Parks. Whilst the specific detail (eg how much to charge, whom and how) remained contested the basic policy platform was there.

In the case of user pays, there was no need for an active network to support the idea since it had become part of the lexicon of the public sector and had clear central agency and Cabinet endorsement. It provided clear direction to act, it could solve immediate problems, was simple (in principle) to understand, it could be linked to moral claims about intergenerational responsibility, there was no obvious alternative idea and no organised network of opposition. The potential political opposition from the ALP was muted because the ALP had first promoted the idea and opposition from the Green Independents was muted because they accepted many of the ideas of user charging as necessary to maintain and conserve natural heritage.

This case of user pays contrasts markedly with another user pays debate that occurred at the same time in Tasmania regarding the application of bus fees to transport disadvantaged students to public schools. In this case 'disadvantaged' included not only income disadvantaged but locationally disadvantaged. In this debate there were extensive and detailed arguments about the impact of charges on differing target groups and their capacity and willingness to pay. The Government eventually backed away from any charges.

In the bus fares case, however, there was an established policy community from which a very organised and articulate network formed. The network included transport organisations (public and private owners and drivers) the main teachers union, parents and friends associations and many local governments. The network was able to mount a much more detailed and sophisticated campaign of opposition.

The network created images of young children being left on the side of the road because they did not have the right fare and images of already locationally disadvantaged families being excluded from education because of inability to pay fares. The moral claims were dominated by the opponents of user charging since it would have been difficult (but not impossible) (footnote) to construct the idea that government had a moral responsibility to charge low income earners to enable children to attend school. This contrasts with the National Parks case where it was the government who was able to claim the high moral ground through the idea of moral responsibility for intergenerational equity. In this case the ideas of free (government) education, locational disadvantage and equity promoted through an aggregated and articulate network combined to prevent the introduction of user pays. In this case the idea of user pays was presented more or less as a *fait accompli*; it needed no public justification. Very few of the responses to user charging challenged the idea itself. Most challenged particular applications of the idea. Whilst the opponents of user charging in national parks spent considerable effort trying to mobilise around some common oppositional ideas the user charging network did not require

mobilisation as the idea was sufficiently institutionalised to be beyond direct attack.

With user pays for entry to National Parks the idea was clear and never really contested. In particular the nascent oppositional groups never effectively mobilised and never coalesced around key oppositional ideas. Most of the challenges came from the application of the idea to the specific case of charging for entry to individual National Parks. In this sense it was always likely that any changes would be at the margins and be more likely to be about tidying up obvious flaws in the administrative ideas used to implement the policy.

## Chapter Seven

### Conclusion

'The production model fails to capture what I see as the essence of policy making in political communities: the struggle over ideas. Ideas are a medium of exchange and a mode of influence even more powerful than money and votes and guns. Policy making . . . is a constant struggle over the criteria for classification, the boundaries of categories, and the definition of ideals that guide the way people behave.' (Stone, 1988: 7)

#### 7.1 Introduction

In this Chapter, after briefly reviewing the overall thesis, I draw upon the findings of the case studies to examine the utility of the conceptual framework (7.2), analyse the characteristics of ideas associated with strong or weak influence (7.3), and assess the significance of policy networks in the shaping the construction and influence of ideas in policy (7.4). Finally, I discuss the implications of the thesis findings for the development of an ideas orientation. I will argue that the thesis has demonstrated the utility of the organising framework to classify ideas and that by then focusing in on characteristics of ideas and the form and function of policy networks an account of policy cases has been provided which is both plausible and analytically distinct from conventional accounts. This raises important issues for future theorising and research in policy studies.

This thesis has explored the characteristics and role of ideas in policy. Whilst there is an emergent body of literature about ideas in policy that literature tends to be pitched at macro level theorising. There are few empirical studies of ideas in specific policy cases at the meso and micro levels. This analytic backdrop presented two major issues for the thesis. First a lack of theorising about the specific features of ideas that might assist in framing research questions and methodologies. To address the theoretical gap Chapter Two proposed a basic framework for classifying ideas and to address the empirical gap the thesis presented four case studies using ideas as the central organising concept of analysis.

In developing the organising framework in Chapter Two, I theorised that ideas vary in their characteristics along two axis. The vertical axis consists of abstract ideas, (macro level) ideas from within political, sectoral and administrative arenas (meso level) and case ideas (micro level). The horizontal axis consists of sectoral, political and administrative ideas within the meso level and all the cases that exist or could exist at the micro level.

Alongside the organising framework I posited the concept of *proximation* as an analytical tool to focus on those characteristics most likely to be associated with influential ideas. Proximation entails both characteristics of ideas likely to be influential, the embedding of ideas in institutions and, the policy design of those ideas through organised networks. I sought to explore these features of proximation in the case studies.

In Chapter Two I assessed the current state of theorising and empirical research about the form and function of ideas in policy. I argued that recent developments in the areas of policy networks, policy learning and, post positivist approach(es) to policy all contributed to useful building blocks towards an ideas orientation. Policy networks identify the site of contestation over ideas and are the mechanism for ideas entering the policy process. The policy learning literature provides insights as to how and why ideas change over time. The post positivist literature attributes a central role to ideas and the interpretive discourses with and about ideas as central to the processes of policy.

In each case ideas could be classified by level and arena and the classification provided many clues as to likely levels of influence of ideas and status of the groupings in the policy network. All the case studies have shed light on various characteristics of ideas that are indicators of likely levels of influence in the policy process. In all the cases the organisation and policy design work of the networks were crucial in determining the influence of ideas.



## 7.2 Organising Ideas - Levels and Arenas

As I have just noted, Chapter Two sketched a framework for classifying ideas by level and by arena and I argued that public policy cases can be analysed by identifying clusters of ideas and, in particular, clusters around sectoral, political and administrative ideas. It is problematic to view the framework as a linear and hierarchal representation of the flow of ideas from foundational ideas through to their application in particular situations. In all the cases in this thesis there was just as much evidence of the reverse relationship. That is, participants in the policy process in constituting action around issues and relations sought to invoke foundational ideas in order to give meaning to action and shape the behaviours or others. This was observed in all cases. In the one case (social justice) where there was an apparent rational attempt to choose an abstract idea to solve a policy problem the idea was frozen out of the new action that was emerging because there were alternate ideas emerging and shaping action (micro-economic reform) and social justice was not seen by any of the key network actors as a viable way of framing the action. The cases reflected more John Kingdon's (1984) 'primeval soup' with ideas 'floating' about, some with institutional form and some without. Which ideas floated to the surface and which were sunk seemed to have more to do with the activity and positioning of the networks and the associated proximation of ideas and less do with the rational objective choice of authoritative actors ordering and selecting the 'right' ideas to apply.

In the case of social justice most all of the influence of the idea came from claims to values and normative calculations based both on deontological (natural law) and consequential reasoning. For example there were claims that social justice was required as a 'natural right' (a type of deontological reasoning) and, that social justice would also support the development of a more buoyant economy (a type of consequentialist reasoning). Most of the social justice argumentation was about formal ideas and it was unable to connect with the actual case environment in which it was to be 'applied'. That is, the potential influence of the foundational ideas could not be invoked because they were not sufficiently proximate to

either the problems, the goals or the solutions that were on the policy agenda.

As an idea, social justice has two origins, one in social philosophy, and one grounded in the history of the ALP. The characteristics of the former idea remain abstract and formal whilst the characteristics of the latter idea remain dependent on historical mobilisation against injustice. (Macintyre 1985) The ideas of the social justice strategy, therefore, lacked a clear sectoral base to develop from in that there was no mobilisation of interest in either the abstract or formal idea or as a response to perceived contemporary injustices. The sectoral void virtually guaranteed a monopoly of political and administrative ideas would be dominant. Initially, political ideas did but as the ideas of economic reform began to dominate the policy agenda, the ideas of the social justice strategy became more marginalised and the political ideas retreated to be replaced by administrative ideas. The classification of ideas by levels and arenas in the case of the social justice strategy enabled a ready reckoning of the range and types of ideas present. The classification highlighted the lack of depth in the sectoral ideas and illustrated the predominance of political and administrative ideas. When compared with the ideas of micro economic reform it illustrates that whilst there were a lot of ideas floating in the primeval soup social justice was on the way down not up. By disentangling the ideas at the case level it was clear that the ideas of the social justice strategy were weak and I discuss these characteristics in 7.3.

The analysis of the ideas of EEO highlighted the range of formal ideas that can underpin proximate and case ideas. Most all of the ideas of EEO made important claims to represent formal ideas and in particular formal ideas construed as having a moral content or what Pal (1992) call a normative calculation. That is, the ideas contain an 'imperative' to act a sense of being 'good' and 'right' in moral terms not simply an option to consider.

In the case of user charging the network opposed to the introduction of the policy attempted to create a series of (proximate) ideas that could counter the user charging trend. Whilst they may

well have laid some foundations there was no single idea or cluster of ideas that could be constituted as an immediate barrier to user charging. None of the ideas raised in opposition had more than one or two features of a proximate idea. For example, the idea of free entitlement to traditional and local community land appealed to foundational ideas including liberty, justice and community. However, since the policy problem had been defined and largely accepted as being about funding for National Parks then these ideas had nothing to offer in terms of solving an important, immediate and widespread problem. Whilst there were many suggestions as to alternative sources of funding they were disconnected from these foundational ideas and hence weakened to the extent that any strong alternate proximate idea would need to both appeal to foundational ideas and (preferable through the foundational ideas) be able solve immediate, important and widespread problems at the same time.

In the case of the social justice strategy, the 'ready framed' proximate idea of social justice was available but it simply didn't connect with the activity and the actors of the time. In addition the institutional settings to which it was applied were not in any way organised around social justice and hence there was only limited capacity for institutional based networks to mobilise. Social justice did not fit the program format nor the portfolio format. It lacked an institutional home as well as related network support. In other jurisdictions, however, social justice did have network support and was carefully crafted through a process of proximation. This occurred particularly with the Commonwealth Government Social Justice Strategy and to a lesser extent with the Victorian Social Justice Strategy. In all three cases the strategies had similar rational/purposive architecture around purpose, goals and strategies but only in those jurisdictions where aggregated and articulate policy network support emerged did the process of proximation develop. Tasmania was the last Labor Government State to introduce a social justice strategy and arguably one of the significant differences was that by 1989 the proximation idea of economic rationalism was well underway. In the early 1980s when the Commonwealth and Victoria introduced strategies the ideas of economic rationalism were only just beginning to emerge.

In the case of concessions there were two powerful sets of ideas that formed. The first set of ideas was around roles and responsibilities of governments for social policy and its resourcing. The second set of ideas was around the types of social need that should be met and the mechanisms to deliver services. The former ideas came to dominate in the 1990s whilst the social need ideas were predominant as the policy problem in the early 1980s. Overall the concessions idea lacked an intensive network to support learning and change over time. Concessions did not sit well with the program format or the new paradigm of economic rationality. The ideas had few consistent moral claims partly because of the 'distortions' caused by their vulnerability to the electability factor. There were high risks to most of the change options considered and the ideas were consistently vulnerable to claims of inefficiency, pork barrelling and inability to solve problems.

In each of the cases and especially in the case of concessions (which commenced over 20 years ago) there was evidence of a gradual shift in the political ideas about the nature and role of governments. The most obvious evidence of the shift was through the increasing involvement of central agencies and in particular central finance agencies in the policy networks. The increasingly interventionist role of central agencies in government administration is well documented in Australia by Painter (1987), Halligan and Power (1992) and Keating (1995). What is notable in the cases is how the involvement of central agencies brought with it the proximate paradigm of economic rationality.

Throughout the case studies the influence of the proximate paradigm of economic rationality was apparent. Much of the power of the new paradigm is that it can both reshape the program format as well as replace it. Since the paradigm presents a new model of cause and effect (prices, markets, competition) network supporters are able to make claims about the production of goods and services that do not necessarily require the program format or the public sector. This makes for a particularly powerful paradigm in that it crosses arenas. It is not simply that the instruments of economic rationality (eg user

charging) may be demonstrably more effective and more efficient than alternatives but that people increasingly believe them to be so. In the social justice case and the concessions case there was relatively little opposition to the dominance of the new proximate paradigm. In the case of concessions there was opposition mainly because of the perceived immediate negative impact of the application of user charging on some groups. In this sense the ideas of economic rationality may well constitute a doctrine or even an ideology (Self, 1994) which would be consistent with a final stage of proximation for any particular cluster of ideas.

The idea of economic rationality is increasingly being embedded as normal practices in similar ways to the ideas of the Keynesian welfare state in the 1930s and 1940s (Hall, 1989). In this situation one can increasingly expect to see more cases like the user charging case where proximated ideas are likely to be presented *as* policy rather than simply shaping policy or being a policy option. That is, the idea itself becomes a major determinant of policy and not simply an instrument of policy.

In Chapter Two, I outlined the views of Hall (1993) on the concept of the policy paradigm and argued that this was an important step forward in focussing in on how clusters of ideas may form and shape policy differentially between sectors. The arguments of Hall paralleled many of the arguments of Hood and Jackson (1991) in relation to administrative ideas. For example, Hall's policy paradigms basically equate with Hood and Jackson's administrative philosophies. The evidence from the case studies presented here is that at any one time there are likely to be a limited number of proximate paradigms present and a larger number of ideas at various stages of proximation. As with the Hood and Jackson analysis this thesis confirms that currently within administration the 'new public management' dominates in the public sector at present. Especially in the cases of EEO, social justice and concessions the ideas of the new public management and its detailed forms (eg strategic planning, the program format) shaped much of the thinking and action and in doing so shaped the form and content of substantive policy.

From the cases it seems that any one time there are three basic types of ideas likely to be in the 'primeval soup' (Kingdon, 1984) of any policy case. First, those ideas from the dominant sectoral paradigms were relevant to a particular case; second, those dominant paradigms from the political and administrative arenas which are likely to shape sectoral activity, and third, those ideas that are competing for the policy space (sectoral, political and administrative) and which are at various stages of proximation. Policy then can be understood to be, in part, about the structuring and positioning of ideas. These ideas exist in institutional settings that they both shape and respond to.

**Figure 7.1**

Proximate Paradigms of the 1990s	
political paradigms	government by the market
administrative paradigm	managerialism
sectoral paradigm (eg. social policy)	residualism and targeting

In the literature and to a lesser extent from the case studies there is evidence of the potential configurations of alternate proximate paradigms. Mostly these seem to be responses to the perceived excesses of government by the market and focus on reconstituting more traditional liberal democratic ideas. Thus for example one of the arguments about the ALP use of social justice has been that it was a response to the excesses of economic rationalism (Wearing and Bereen 1995). Theophanous (1993) has reconstructed social justice for the ALP to be based on 'economic citizenship rights' which attempts to accommodate economic rationalism with justice and a more active form of citizenship. So, some alternative proximate paradigms might include:

Figure 7.2

Alternate Proximate Paradigms?	
Political _____	social market (Emy, 1993) democratic public culture (Dryzek, 1990; Self, 1993) 'new' social justice (Theophanous, 1993)
Administrative ____	post bureaucratic (Hughes, 1994; Yeatman, 1994; Ryan, 1995)
Sectoral _____ (eg. social policy)	emancipatory citizenship (Wearing and Bereen, 1995) enabling welfare state (Baldwin, 1995)

Overall the framework provides a starting point for an ideas orientation by enabling case ideas to be identified and classified according to level and arena. This schematic mapping provides an immediate insight as to the extent of clustering of ideas, their origins and, the balance of ideas present in a particular case at a particular time. As a starting point for analysis of a case the initial questions would be about the extent of proximation of particular ideas, the existence of proximate paradigms and the competing ideas that are in or attempting to enter policy space.

Thus, for example, proximate paradigms are much less observable as ideas at the case level than they are at the level of arenas. At the case level the paradigms are manifested in a series of objectified and material forms such as the program or strategic planning. Their perceived objective and material reality can mask the ideas that shaped them and the paradigms they realise. Similarly approaches to understanding policy that commence with a focus on objective and rational actors following ordered goals and objectives can obscure the range of contested ideas collapsed into the objectified instruments of policy such as the strategic plan or the goal statement.

In Chapter Two, I noted the importance of framing as a central concept in post positivist approaches to policy analysis and argued that the organising framework developed here is a method of identifying the likely frames present in a policy case by making

transparent the constituent ideas which themselves are central organising features of frames. I noted how ideas were selected for consideration, and how they were located in the framework, which should itself be seen as a framing activity. That is, to the extent that the framework is part of an orientation from which 'amorphous, ill defined, problematic situations can be made sense of and acted on', (Rein and Schon, 1993: 146) then this is both a frame and a method of framing other frames. In each of the cases in this thesis the framework both presented policy work through a different lens to mainstream approaches (a frame) and in doing so identified the constituent, contested and condensed ideas from arenas and paradigms (a method of framing). It enables the researcher to enquire into the characteristics proximation status and clustering of ideas thereby establishing the likely relative level of influence in the policy process.

In each of the cases it was possible to frame the case studies using ideas and give an account of the policy action and outcomes using ideas as the pivotal organising concept. The starting point was the capacity to classify ideas, and to identify the raw material of policy. The utility of the framework is also demonstrated through its capacity to map ideas so that characteristics and relationships can be analysed. The framework also structures ideas in ways that parallel the structure and role of policy networks (by arena) and policy learning (by level) and in doing so enables a focus on the process of proximation. These matters are taken up in the following sections.

### **7.3 The Characteristics of Ideas and Conditions for Influence**

In Chapter Two I sought to account for why it is that some ideas are more or less likely to be influential than other ideas in a specific policy case. I argued that by focussing on both the characteristics of ideas and how those ideas are organised and designed through policy networks an account of proximation, those ideas most likely to be influential, could be produced. In this Section, I identified and analysed the characteristics of the central ideas of the case studies and the relationship of those ideas to policy influence.



In each of the cases there were five characteristics that consistently appeared. The presence of these characteristics were predictors of influence whilst the absence of the conditions were indicative of a weak idea.

1. perceived capacity to define and solve immediate and widespread problems across a range of settings in which cause and effect is demonstrated
2. potential negative features are contestable and diffuse
3. capacity to marginalise or exclude alternate ideas
4. the idea can cluster foundational ideas in simple ways which accord with peoples experiences and which has clear moral claims and which has the potential to become iconised
5. the idea can be organised into the program format or create a new program

**Perceived capacity to define and solve immediate and widespread problems across a range of settings.**

Ideas are more influential when they are able to provide specific directions in a range of settings. The idea of user pays was influential in that it provided clear direction in terms of how to act in relation to National Parks. Whilst the specific detail (eg how much to charge, who and how) remained contested the basic policy instrument was there supported by a cluster of ideas embracing economic rationality. Contrast this, for example, with the idea of social justice which provided very limited direction in terms of policy instruments to apply it in any particular case. User charging was also seen to address several immediate and widespread problems for example perceived inefficiencies of governments and, perceived shortfalls in required revenues for National Parks maintenance and development.

In the case of the social justice strategy it was not clear what the immediate problem was or how social justice could or would directly address 'structural inequalities'. The chain of events between problems of social disadvantage and a social justice strategy 'causing' new and improved outcomes was simply too tenuous for any network to form around or work with.

EEO as a cluster of ideas has been perceived (by supporting network actors) as solving a range of immediate and widespread problems sectorally, politically and administratively. Politically EEO has enabled governments to respond to historical forms of institutionalised discrimination and enabled governments to attract support from groups who have experienced discrimination. Governments have also been able to configure EEO as supportive of microeconomic reform and increasing the representativeness of the bureaucracy. Thus EEO has been invoked to address criticisms of the inefficiency and unrepresentative nature of the public sector.

In the concessions' case there were a variety of 'problems' that the various participants wanted solved. The problems, however, were largely ongoing, impacting on only a relatively small population and for each solution presented there were seen to be negative 'cost shifting' and 'flow on' effects to other jurisdictions or sectors. For example, the administratively efficient method of cashing out concessions would shift the burden of support onto the community sector to support those persons who were still unable to meet costs. Concessions reform ideas never formed a cluster, they never consolidated and never appeared to provide 'simple' solutions to problems.

Of all the conditions of proximation this is clearly a necessary condition to influence policy outcomes. Ideas that cannot connect to material reality (eg social justice) are most unlikely to be influential and unless (as in the case of the social justice strategy) they have a history of proximation elsewhere they are even less likely to be able to enter policy space. Hall (1989) and Goldstein (1993) both identify this characteristic in their respective studies of Keynesian economic policy and American trade policy. There are actually two conditions here one about capacity of a particular idea(s) to solve problems and another about the incapacity of alternate ideas (whether new or existing) to demonstrate a similar capacity. This dynamic relationship between ideas is critical in assessing likely influence.

### **Potential negative features are contestable and diffuse**

Not only do actors promoting ideas need to be able to demonstrate the capacity of the ideas to solve problems they also need to demonstrate that any negative features associated with problem solving are contestable and diffuse. Similarly where an alternate idea can be construed as generating negative side effects then that idea is likely to be further weakened. So, a strong idea exhibits few weaknesses and, promotional networks can exploit the weaknesses of alternate ideas.

In the case of concessions all options had immediate negative impacts for either one or more jurisdictions and for one of more categories of clients. There was no point in the process where all parties could be seen to have benefited from a particular course of action. All options involved either an immediate loss of policy flexibility and/or an increase in costs. In the case of social justice it was considered by the key policy networks that any attempt at redistribution of wealth or structural change based on equity would immediately undermine the already 'parlous' state of the economy. This immediately relegated social justice considerations to a secondary role in the 'reform' processes.

Ideas are relatively more influential when the potential negative impacts are diffuse and without a specific time frame. Whilst it has been argued that many of the ideas of government by the market may lead to the residualisation of access and equity and to a loss of democratic accountability (Self, 1993) in the cases here these sorts of potential negative impacts were seen to be diffuse and without a specific time frame.

Ideas are relatively less influential when factual assertions about them can be contested by factual assertions from opposing ideas. Some ideas had opposites. For example the idea of people being put off visiting National Parks was opposed by the idea that the numbers would increase. Each idea was supported by a series of empirical assertions and broader claims. Both parties were able to present 'facts' backing up claims about changes in visitor numbers, revenue

changes and what happened elsewhere when user charging was introduced. The many factual claims and counter claims did seem to have the effect of 'neutralising' the relative influence of the underlying ideas. The contestability of ideas is a feature of the post positivist writers and in particular is central to the arguments of Pal (1992: Ch 9) and Stone (1988) but overall there is little research on this characteristic.

In all cases the distinction between factual argument and normative claim was blurred. In particular there was a tendency to interpret 'facts' in ways which promoted the ideas being promulgated. None of this is either surprising or new. (Pal, 1992, Majone, 1989) What is of significance is the way in which ideas were central to the ways in which 'facts' were generated and employed in argumentation. In the case of concessions, the contests over the interpretation of meaning of categories, for example, 'the take up rate' meant that the many 'facts' presented remained contested and differentially interpreted. In short ideas can be seen to frame the meanings of facts. (Colebatch, 1995)

**The idea has the capacity to marginalise or exclude alternate ideas**

Proximate ideas have the capacity to 'absorb' other and competing ideas. This process of absorption effectively stifles much potential criticism and potentially weakens opposing networks. EEO as a proximate idea has attempted to absorb the idea of structural efficiency yet structural efficiency and EEO, in some circumstances, fit uncomfortably together in practice. Social justice was unable to absorb ideas from micro economic reform and this significantly weakened social justice. The only attempts to absorb microeconomic reform ideas were in relation to tangential arguments about social justice being necessary to ensure a stable and harmonious community environment thereby enabling a more productive workforce. Whilst the ideas opposing user pays identified perceived shortcomings in the idea they could not be constructed to address the perceived problem (lack of revenue) they could only make claims about the shortcomings of user charging. User pays was able to absorb ideas

about incapacity to pay through offering 'discounts' and by focussing the debate on improved facilities in National Parks.

So, the ideas that can absorb other and potentially competing ideas seem to increase the probability of achieving outcomes promulgated by the advocates within the network in a particular policy case. Ideas that are unable to absorb, marginalise or exclude claims of alternate ideas or conflicting ideas have less probability of being translated into policy action. Ideas are more influential when they can be invoked not only to address a case issue but also to attack an apparently tangential point of vulnerability of an opposing network or community. In the case of charging for entry to national parks much of the media coverage drew parallels between the government needing more money to fund National Parks and the same government quite recently having approved a 40 per cent increase in salary for Members of Parliament.

The government on the other hand was able to separate out general taxation issues from user pays by arguing that since not all Tasmanians used National Parks, not all Tasmanians should meet the full costs. Once divorced from arguments about general taxation, the user pays idea is particularly influential in that it appears as the most logical mechanism to fund goods and services that people demand. It was used effectively by government to argue that user pays was not only a good idea but essential to the maintenance and development of National Parks. Since all parties endorsed the need for park improvement the linking to user pays effectively muted much of the opposition. The idea of user pays for entry to National Parks defined the context of the debate in ways that excluded many other ideas from entering the policy agenda. By establishing the issue as one of how to fund the maintenance of National Parks the agenda had been set. The Review enabled some 'ironing out' of the sameness and difference to create the perception of continuity (Stone, 1988: 308) in ways that placated many of the critics.

Social justice and concessions on the other hand were unable to effectively undermine alternate ideas. In the case of concessions there was no real competing idea(s) whilst in the case of social justice the

only point of apparent vulnerability of the idea of micro economic reform was in terms of inequitable outcomes, for example, people likely to be retrenched etc. However as they were developed in this case the social justice ideas were silent on preventing or responding to such issues and, conversely microeconomic reform promised economic growth and prosperity in the future.

**The idea can cluster foundational ideas in simple ways that accord with experience and make moral claims**

Reich (1990: 79) argues that the capacity of an idea to 'resonate with historical experience' is an essential characteristic of influential ideas and argues that influential ideas need not be complex but rather 'common sense bases' and 'anecdotal'. There was much evidence of this in the cases.

For those opposing user pays there were many ways to frame the arguments and many abstract ideas to draw upon. However, those abstract ideas were not always apparent or consistent and it was only through the actions of the (fragmented) policy network that the ideas began to emerge and the arguments be refined. There were no simply hierarchical or coherent abstract ideas to 'apply' to the case; they needed to be teased out by the network and framed to be relevant to the arguments. The opposition to user pays could not produce a simple opposing idea that represented the range of oppositional ideas present in the case.

User pays was generally accepted within the case as an appropriate role for government and indeed a role that government *should* engage in. Indeed the government put some effort into encouraging this idea through the language of 'partnerships' and 'Friends of the Parks' etc. This more than offset the claims that altruistic or merit goods should not be priced and the claim that user charging was a form of double taxation. Social justice could be presented simply as access, equity, participation and rights which have a high moral status but without an organised network with the capacity to design the ideas they remained formal and abstract. EEO whilst underpinned by a series of complex and contested ideas has

been presented in relatively clear formats through the merit system and through the quantification of targets and program based activity. EEO has been presented as simple and, through addressing discrimination, realising values of equity and fairness. Concessions as an idea simply failed to connect with any succinct set of problems or solutions. It intersected with 'problems' in emergency relief, income support, state taxation, microeconomic reform and the social wage. Whilst it intersected with many problems concessions as an idea is only able to provide partial solutions.

**The idea can be organised into the program format or create a new program**

In his analysis of the rise of Keynesian economic theory Hall (1989) identified four main reasons for the success of the new paradigm: appeal to the ruling political elites; absorption within the public sector, a capacity to provide alternate accounts of how society should work, and the receptiveness to new paradigms following the second world war. (Hall, 1989: 361-392) This was a macro level analysis but arguably at the meso level the program as an administrative idea has similar features other than the connection with World War II. In short the program is a powerful proximate administrative idea and hence the alignment of new ideas to program formats becomes a component of proximation.

Social justice had neither a mobilised network nor an organisational setting in which to be located. Until the introduction of the strategy there were no programs or divisions or positions within the State Government with the label 'social justice'. These were quickly created when the ALP Government came to power in 1989. The institutional trappings emerged over a very short period of time through, for example, the introduction of the 'Social Justice Statement' to all Cabinet Submissions. However, it remained unclear as to whether the line agencies or the central DPAC were responsible for the final content and quality of the 'Statement'. Similarly many agencies created 'social justice' positions to co-ordinate social justice activities but these positions were invariably outside of the mainstream programs and functions of the agencies. Without the

network the institutional forms of social justice were largely symbolic and marginalised. Without the institutional forms the possibility of a network forming within the administration was limited. The result was that the tangible 'outputs' of social justice were in fact selected outputs of existing programs reorganised under the social justice label.

Much of the capacity of EEO ideas to influence thinking and action emerged from the capacity of EEO to move from formal and abstract ideas (eg equity and justice) through to concrete and specific actions through EEO programs and the case study highlighted the detailed instruments utilised to achieve EEO within the (Commonwealth) public sector, for example: EEO strategic and business plans; training and development of staff; performance indicators; performance agreements; targets and quotas; guidelines for staff; legislation; reporting, review and appeals, and specialist staff. These are the mainstream mechanisms of the program format and EEO has effectively been able to be constituted as a program with a program. Whilst the risks of objectifying EEO in these ways continues to be debated. (Burton, 1991) Adding the word 'employment' to 'equal opportunity' more readily enabled an abstract and formal cluster of ideas (eg justice, fairness, equality, compensation) to take on a material and programmatic form.

Arguably an 'error' of administration in introducing user pays was that the fees mechanisms did not align with the program structure of the Department whose responsibility it was to administer the fees. It was to be the responsibility of the Park Rangers to collect the fees but their primary (program) duties were around protecting and maintaining the parks, not fees collections. The physical infrastructures were not in place in many Parks (eg full time staffing, collection points) to collect fees and this generated resistance from staff and claims of inefficiency and inequitable treatment by park users. The Review of Fees moved to address the issue through recommending the presale of passes, training of staff, simpler fees structure and, the introduction of ticket machines. This significantly reduced the friction between the program structure and the administration of user pays.



In each of the cases, for an idea to become objectified and take on a material reality, an organisational form was required. In the public sector, until quite recently, this form has been the department and the program. The ideas that cannot or do not take on organisational form (eg social justice and to a lesser extent concessions) struggle to be materialised. The policy networks can objectify the idea but the material reality than involves policy instruments resources and activity also requires organisational form.

These five characteristics of ideas provide the raw material for influence in the policy process. In each of the cases their existence was an indicator of high influence whereas their absence was an indicator of low influence. When combined these characteristics produced an idea or cluster of ideas that were likely to constitute a paradigm. That is, the combination of all characteristics enabled ideas to 'simultaneously establish the assumptions, justifications, purposes, and means of public action'. (Moore, 1990: 75) The characteristics become objectified through the policy networks which, through design work, created policy form.

#### **7.4 Policy Networks and Ideas**

In Chapter Two I argued that the formation of policy networks, their structure and, organisation of ideas are crucial to determining the level of influence and balance of ideas present in a policy case. In each of the cases, the networks were key instruments through which policy ideas were coveted and challenged, marshalled and manipulated to generate influence. The dynamic component of the networks was the design work, the process of policy discourse, rhetoric and argumentation, largely about and with ideas. From the cases, it is apparent that the networks are the central mechanism for materialising and objectifying ideas which is a crucial moment in determining the likely influence of an idea. I discuss in this section the main findings from the cases in relation to the significance of networks before concluding the section with an analysis of the significance of networks in organising the influence of ideas.

## EEO

In the case of EEO in the Commonwealth public service and EEO in the Tasmanian public service essentially the same ideas were available but there were two quite different outcomes. I have already argued that EEO as an idea has some characteristics which lessen the likelihood of influence. These characteristics include a contested set of assumptions about the causes of discrimination and a problematic connection between the abstract ideas and the use of administrative instruments to effect EEO. Under such conditions the role of the networks becomes more crucial and whilst in the CPS the challenge was taken up early and over time an institutionalised network formed, in Tasmania a comparable network was not formed and only a fledgling network has ever been formed. The Commonwealth network engaged in a series of sophisticated design strategies to promote EEO. The language of administrative reform was engaged (merit arguments) as was the language of economic rationality (structural efficiency principle). The ideas of EEO were promoted as important moral claims for a society ostensibly based on ideals of equity and fairness. An institutionalised network and effective policy design ensured the continued construction and implementation of EEO policy in the commonwealth.

## Concessions

In the concessions case, the ideas about concessions changed as the dominant networks changed and new actors brought new ideas with them. During the 1980s the network consisted of interest groups, peak organisations such as the COSS network, academics and bureaucrats in various departments that administered concessions. At this time concessions were being recognised as a new form of social policy and were being located within the income support arena. The idea of contributing to the social wage was important and the activity was very much about addressing poverty and improving wellbeing. By the late 1980s, expenditure on concessions was growing exponentially and all jurisdictions were revisiting the policy issues and analysis in recursive ways. (Bobrow and Dryzek, 1987) Poverty was seen to be entrenched and intractable and the social wage was

seen to be problematical because it raised many issues about roles and responsibilities of levels of government and was seen to be beyond the resources of governments. In short the dominant sectoral ideas were seen to have failed to solve the 'problems'. The causal chain between poverty alleviation and the Keynesian welfare state was perceived to have failed. The perceived imperatives of reducing expenditure and controlling cost shifting and spillover effects between jurisdictions led to a new network forming, a network almost entirely constituted by public sector officials. Concessions then became institutionalised within the bureaucracies and other potential network groupings were increasingly frozen out. Initially the network consisted of social policy specialists but after several 'failed' attempts at reform the network shifted to include significantly more central agency coordination and finance specialists. The network continued to generate numerous reports but there remained essentially contested views on what concessions were, which level of government should fund them, how they should be delivered and, to whom. Here was a cluster of ideas with an aggregated and articulate mature network and institutional form. However, the scope of the ideas had been narrowed to the extent that the capacity to influence activity beyond its existing policy space was severely constrained. An inability and unwillingness to agree on meanings of concessions (in a highly volatile political environment) meant that, whilst the idea has been 'churned', it had not been proximated. In particular, it continued to lack any moral foundations, the network remained closed and without claims to foundational ideas, attempts to solve problems seemED to simply generate more problems, and alternative ideas (such as transparency of government activity and charging full costs) emerged to alter the relative balance and influence of ideas.

In this case the influence of the emerging ideas of economic rationalist government was evident. The early ideas about concessions were constructed within the foundational post war paradigm of social liberalism (Wearing and Berreen, 1994: 241) but by the mid 1980s these ideas were under challenge. The Keynesian welfare state had been seen to fail and an alternative set of ideas around government by the market were beginning to emerge. In the concessions case these new ideas were reflected in the shift of the

discourse from ideas around poverty alleviation and the social wage to new ideas such as community service obligations, market distortions, perverse incentives and transparency. It was the new central agency actors in the policy network that both introduced and operationalised the application of these ideas to concessions.

Whilst the concessions network appeared to have all the features of an institutionalised network (Pal, 1992) the temporal view demonstrated that there were really two networks, the early network dominated by social policy ideas and the latter network dominated by reform ideas, both political and economic. The early network lacked organisation and access to power whilst the later network lacked intensive commitment to concessions (reform was the primary idea) and was fragmented both in terms of divisions between the Commonwealth and the States/Territories and in terms of the various line and central agency representation on the reform committees.

### **The Social Justice Strategy**

The case of social justice highlights the significance of ideas requiring much more than symbolic support if they are to become influential. Whilst well into the 1990s the social justice symbols were still being promulgated by ALP governments it lacked the 'bite' that previous social justice 'epochs' were able to generate through (perceived) groundswells of community activity responding to various forms of apparent oppression and disadvantage. Whilst the ALP nationally and at state level maintained social justice as the 'light on the hill' it was increasingly a symbolic political artefact rather than a response to social conditions. The idea had been iconised by the ALP nationally but was increasingly lacking institutional form and network support, a spent icon.

Social justice had neither a mobilised network nor an organisational setting in which to be located. Until the introduction of the strategy there were no programs or divisions or positions within the State Government with the label 'social justice'. These were quickly created when the ALP Government came to power in

1989. The institutional trappings emerged over a very short period of time through for example the introduction of the 'Social Justice Statement' to all Cabinet Submissions. However it remained unclear as to whether the line agencies or the central DPAC were responsible for the final content and quality of the 'Statement'. Similarly many agencies created 'social justice' positions to co-ordinated social justice activities but these positions were invariably outside of the mainstream programs and functions of the agencies. Without the network the institutional forms of social justice were artificial and marginalised. Without the institutional forms the possibility of a network forming within the administration was limited.

The symbolic creation of a social justice strategy was insufficient to mobilise a network from within the policy community. The social justice network was only fledgling. It was small in numbers, lacked organisation outside of the DPAC, was unable to include many of the potentially supportive groups from within the policy community, and was marginalised on the government's policy agenda. The organisation of ideas lacked direction or commitment and the network fell back on the use of administrative ideas to design the social justice strategy. In place of argumentation there were formal 'Discussion Papers' which presented social justice in mechanical and descriptive ways. In place of iterative planning there were prescribed '*pro formas*' to be attached to all Cabinet Submissions.

The weakness of the ideas of the social justice strategy were converted into weaknesses within the network. It was unclear at the level of program activity what social justice was a response to (what the problem to be solved was) and it was unclear where there were identified social justice 'problems', for example, poverty, and what the causal chain of events from social justice to poverty alleviation would look like.

### **User Pays**

In the case of user pays, the network groupings advocating the idea were operating from within well established institutional frames and operating with an embedded idea. This was an institutionalised

network of treasury officials, senior line agency staff, and the government. This contrasted with the disparate and uncoordinated nature of the network groups that opposed user charging. These actors were mainly from the specific communities and businesses spatially located near particular parks and were only a nascent network. They lacked organisational form and lacked a simple set of resistant ideas to work with. Their mobilisation was spontaneous but short lived. After the review process it was clear that the heat had been taken out of the issue and that the intensity of resistance to the ideas of user pays was insufficient to continue the process of mobilisation and policy learning necessary to create a potentially more effective resistant idea.

### Discussion

Much of the power of public ideas is manifested where they develop the capacity to shape policy agendas and to thereby include or exclude other ideas and actions. In the case of National Parks power was not equalised. The government of the day proposed the scheme with the full support of the key line and central agencies. It was not a public debate or even a debate amongst policy 'experts'. It was a case of how to do it rather than 'why' or 'if'. In the concessions case power was relatively equalised between the Commonwealth and the States and between the various agencies involved in the network. Each jurisdiction and each agency had control of particular aspects of policy, service delivery and funding. Each could use its influence to attempt to shape others but ran the risk of other parties invoking their influence. In this environment neither any particular idea nor any particular power relationship was able to force change. In the social justice case power was not equalised as the key policy networks were at best indifferent to social justice and more frequently opposing it on the basis that it would hinder the implementation of microeconomic reform. In the cases of the social justice strategy and user charging there were weak networks which impaired the influence of ideas. In the case of the social justice strategy it limited the capacity for an existing idea from being acted upon and in the case of user charging it limited the potential emergence of an alternative proximate idea to user charging. Both these cases, however, might

show a different result over time. The temporal element to change in the user charging case might well have led to the consolidation of a network and the emergence of an alternative idea to cluster around. However, the Review took much of the heat out of the debate and the already fragmented and disparate groups, without an alternative proximate idea and without institutional form, simply faded away. Ideas have the capacity to be influential when there are aggregated and articulate networks with a capacity and willingness to act on them. In the case of user pays there was no need for an active network to support the idea since it was proximated it provided clear direction to act there was no opposing proximate idea and no organised network of opposition .

The user charging case contrasts starkly with the idea of social justice where the converse was largely true. That is, there was an (in principle) powerful idea (social justice) which was not implemented. In the case of social justice there was no network supporting the idea but there was a network with a powerful proximate idea opposing it. Social justice provided very little clear direction to act whilst the opposing proximate idea (government by the market) had a clear range of strategies underway.

The networks around the concessions case were largely bureaucratically based and very loosely aggregated. Most of the aggregation was around jurisdictional boundaries (Commonwealth/State) portfolio boundaries (eg social security, community services) and agency type (eg line agency and central agencies). A focus on sectoral ideas was very much a secondary consideration for the network.

In each of the cases there were three main sources of new ideas for the networks. First new ideas as a result of learning about new instruments or configurations within the existing paradigm or policy arena. Second, new ideas emerged as the environmental context altered and the networks made choices about how to respond to new situations. Finally ideas changed as ideas from outside the networks began to impact on the extant network ideas. In the case of concessions the new network actors brought with them new ideas

much akin to the arguments of Pusey (1991) about the spread of economic rationalism. In the user pays case the opponents of user pays were responding at short notice to the introduction of a new idea about management of National Parks (user pays) which had an immediate material impact (fees introduced). In this case the ideas were a response to the competing ideas and the changed environment this created. Their opposing ideas then began to emerge and the fragile network appeared.

The focus on policy networks locates ideas within institutional forms and likely patterns of relations. It also identifies likely sources of tensions between ideas (paradigm differences/arena differences) and the sites of argumentation about ideas (within the mechanism of network activity). Finally the focus on networks identifies reasons why and, ways in which, ideas enter the policy process. The study of policy communities and policy networks is still at an 'experimental' stage according to one of the leading researchers in the field. (Pross, 1992) There remain substantial disputes in the field and criticisms of the largely descriptive nature of the literature. (Coleman and Skogstad, 1990; Atkinson & Coleman, 1992) However, as has been demonstrated in this thesis the roles and activity of policy networks can be observed through the medium of ideas and in doing so ideas are made temporal, objective and material.

In all but the user pays case the role of central coordinating agency officials was crucial. In the case of EEO in the Commonwealth it was officials, through the PSC, who created and maintained the EEO discourse, guidelines, review and training. In the case of concessions it was the Treasury and Premiers'/Prime Minister's agency officials who took over the network in the 1991 and withdrew in 1993. In the case of the social justice strategy it was the officials from the DPAC who were asked to create a social justice strategy.

These actors from central agencies lacked the longitudinal intensity of sectoral knowledge and brought with them the ideas of central coordinating agencies. These ideas include a steering role for the line agencies (Painter, 1987), economic rationalism (Pusey, 1991) and political management ideas such as national reform. (Halligan



and Power, 1992; Keating, 1995) In some cases, for example, concessions, central agency actors simply displaced the existing network whilst in the social justice case they invoked administrative and ultimately economic reform ideas in the absence of any substantive social justice ideas being formulated. The issue of the transient nature of policy network actors from central agencies has recently been highlighted by Homeshaw (1995) in a study of science policy in Australia. That analysis and this thesis both highlight the centrality to analysis of the constituent actors and the ideas they bring with them to policy issues. The significance of particular groupings within a policy network suggests that more differentiation is required within policy networks in relation to the constituent actors and the ideas they attempt to organise and the characteristics of those ideas.

Whilst the framework of ideas provided a map of the range and types of ideas present in a policy case the introduction of the policy networks more readily enables a temporal and dynamic component to be added to this policy puzzle. Within the networks ideas begin to be objectified and materialise and patterns of relations emerge over time. By combining the characteristics of ideas likely to generate influence with the features of networks likely to create influence a matrix of the cases can be constructed.

Figure 7.3

		NETWORK MOBILISATION AND MATURITY	
		HIGH	LOW
POTENTIAL INFLUENCE	HIGH	Pro user pays	No user pays
	LOW	EEO (Com) Concessions	EEO (Tas) Social Justice

Strong ideas and strong networks facilitate policy dominance but there are other more subtle combinations here. Ideas that have weaknesses such as EEO and concessions can still be influential where strong networks are present. Ideas that lack strong characteristics and strong networks are likely to be marginalised on the policy agenda. However, whilst social justice nationally has been moving gradually towards low influence and decaying networks opposition to user pays on the other hand may well be moving towards stronger characteristics and more mature networks. Longitudinal schematic mapping would produce a more detailed picture of the relative influence of ideas over time.

Much of the post-positivist writing emphasises the significance of argumentation, persuasion and public deliberation in shaping policy. (Fischer and Forrester, 1993; Majone, 1989; Reich, 1990) I have argued here that two features of policy networks are crucial in this. First the organisational capacity of networks, their level of maturity, mobilisation and commitment to realise ideas. In addition and related to these features is the capacity of networks to engage in competitive policy design work. Argumentation, persuasion and public deliberation do not just happen they require active networks to

create policy design forms. In some cases this can be a deliberate and planned activity - as with EEO in this thesis, whilst in others it can be more spontaneous and haphazard - as with opposition to user pays in this thesis. Included in the temporal dimension of policy design work is policy learning and in the following section I focus in on how the cases in this thesis shed light on the connections between learning, ideas and policy networks.

## **7.5 Ideas, Networks and Policy Learning**

In Chapters One and Two, I discussed the linkages between an ideas orientation and policy learning. Much of the stumbling in policy studies has been a result of problems associated with accounts of change. (Lane, 1990) I argued that since much of what policy networks do is argue with and about ideas, then learning about ideas should be central to accounts of policy learning and change. I noted that there appeared to be four main types of learning emerging from the literature, instrumental learning, social learning, political learning and paradigm learning. I argued that my conceptual framework is able to locate these types of learning by reference to levels and arenas of ideas and that the cases would demonstrate further how ideas and learning are connected.

I argued that the site of policy learning was likely to be within and through the policy networks and that the specific learning changes could be identified through a temporal focus on the proximation processes associated with ideas. An ideas orientation may well make transparent the processes of policy learning and thereby add a further temporal and dynamic aspect to how policy change happens. In all of the case studies there was evidence of policy learning at work and in the following section, I discuss the types of policy learning present in the social justice strategy, concessions and user charging. In each of the cases I was seeking to test whether learning could be observed through the medium of ideas, what forms the learning took, the mechanisms of learning and, the reasons for learning.

Learning and ideas are clearly linked more than the literature to date has acknowledged. They are linked in specific ways. The characteristics of ideas that make them potentially influential also make for successful instrumental, social and political learning. Conversely those ideas that lack characteristics of influence make for problematic learning. In addition the role of networks in learning is crucial much along the lines that Sabatier proposed through his advocacy coalitions and policy sub-systems. This thesis supports the arguments of Goldstein (1993), Hall (1989), Hood (1994) and Sabatier (1987) in relation to the conditions under which new ideas emerge and change. These authors present the view that major changes in ideas are only likely to occur when external conditions change and that core ideas remain relatively stable over time unless significantly acted upon by external force. (Sabatier, 1987: 671) Sabatier argues that whilst minority coalitions may improve their relative position through 'outlearning' their adversaries this alone is unlikely to significantly change power relationships. Hood also notes that in most of his 'macro' cases changes in ideas emerged largely as a response to changes in 'habitat' combined with some elements of 'internal decay'.

The shifts in the locus of authority over policy were critical moments in accounting for how and why certain ideas were able to be proximated. This findings parallels that of Hall (1993) who, in a study of British economic policy making in the 1970s, argued that shifts in the locus of authority over policy making consolidated the emergence of new policy paradigms and relegated old paradigms to an increasingly secondary role. In this thesis this was most evident in the cases of social justice and concessions. In the case of social justice the shift in the locus of authority from line agencies to central agencies and, in particular the central finance agency, consolidated the proximation of ideas about economic rationality and consolidated a new learning process. Sabatier (1987: 683) raised an 'intuitively intriguing argument' about the role of policy brokers in learning. He noted that brokers could learn even whilst advocacy coalitions 'talked past' each other. The evidence from this thesis is that policy brokers are increasingly becoming central to the policy networks and their ideas are similarly becoming central to network learning whether

through symbolic adaptation of the networks to new discourse or through more fundamental revision of beliefs.

In the concessions case there was a parallel shift in the locus of authority away from the sectoral network towards the central agencies network. In this case, however, there was not a commensurate paradigm shift arguably because the issue was not high on the political agenda and because there was continuing 'puzzlement' about the concessions idea. The disconnection of the concessions discourse from broader sectoral issues meant that there was no immediate policy paradigm to position the ideas within and hence the ideas of a more influential external policy paradigm (government by the market) shaped the debate.

Learning needs to be relational if it is to effect change in conditions of policy contestability. Since most policy goals and instruments are contestable this is likely to be more often than not. By relational I mean that the learning about ideas must take account of the likely learning associated with other potentially competing ideas. The cases here suggest that a necessary condition of policy learning leading to change is that ideas are proximated. The processes of proximation establish the conditions of policy learning that are likely to effect change and in particular the process of proximation takes account of the need for learning across competitive and parallel ideas. A similar focus on the need for better understanding of learning across belief systems is taken by Sabatier. (Sabatier, 1987: 678 - 681)

Hypothesis 6: Policy - oriented learning across belief systems is most likely when there is an intermediate level of informed conflict between the two. This requires that:

- (a) each have the technical resources to engage in such a debate: and that
- (b) the conflict be between secondary aspects of one belief system and core elements of the other or, alternatively, between important secondary aspects of the two-belief systems.

Hypothesis 7: Policy-oriented learning across belief systems is most likely when there is a forum that is:

- (a) prestigious enough to force professionals from different coalitions to participate, and

(b) dominated by professional norms.

It was clear through the longitudinal cases in this thesis that a paradigm shift towards the paradigm of economic rationality was underway and an intense phase of paradigm learning had been entered into both in terms of applying the new paradigm and in terms of emergent resistance to it. The paradigm shift was observed in all the cases. In each case the influence of the new paradigm of economic rationality was apparent and in each case the networks promoting alternate ideas either attempted to engage in the discourse and adopt the symbols (social justice and EEO) or they rejected specific ideas of the economic rationality (user charging) or they were excluded from the policy space (concessions). Whilst there may be many other types of responses to new paradigms there are at least three types here, engagement, resistance and exclusion. This is similar to findings by Rose (1993) of the scope of program responses to environmental changes where he identified four options, deterioration (no goal or program effort at change), symbolic gesture (goals change activity remains the same), adaptation (goals the same, program changes) and innovation (goals and program change).

The thesis sheds light on the perennial social sciences question of whether ideas change socio-economic conditions or socio-economic conditions lead to changes in ideas. In all the cases presented here ideas were present before socio economic conditions changed. However they were often largely formal 'shells' and their influence was contingent on proximation. For example the ideas associated with government by the market or social justice are not new, what is new is the clustering of the ideas into a perceived coherent paradigm that can and should apply to the public sector. As proximation consolidates then the ideas have greater import and efficacy with their advocates having to rely less on constant argumentation and justification to promote them. Where proximation occurs they are likely to be influential and where it doesn't they are much less likely to be influential. The proximation process enables the actors in a policy case to frame the action and to contest the various meaning being applied to a problem and its solution. As Colebatch (1995: 115) has argued, it is this validation of

activities that is the dominant driver of policy more than the rational choices of authorised leaders.

The types theorised by May (1992) and Hall (1993) were observed in the case studies. These types include instrumental learning about the mechanics of implementing policy through a range of instruments. Social learning focuses more broadly on the cause and effect issues, the overall success factors of a policy. These two sub-types of learning parallel first and second order change of Hall (1993).

Political learning is about strategies and tactics to maintain access and influence whereas paradigm learning is about positioning in relation to threats and opportunities arising from environmental and other changes which could lead to the emergence of new doctrines. There is an alignment between conditions of proximation and types of learning suggesting that learning that only focuses on one type (especially instrumental) may well run the risk of learning but without any concomitant capacity to influence policy. A classification of types of learning in each case is presented in Figure 7.4 and a classification of types of learning and characteristics of ideas is presented in Figure 7.5.

Figure 7.4

Types of Learning by Cases

	Instrumental	Social	Political	Paradigm
EEO (Com)	high	medium	high	high
EEO (Tas)	low	low	low	low
Social Justice	low	low	medium	low
Concessions	medium	low	high	high
User pays	high	medium	medium	low

The relationship between characteristics of ideas and learning types is at Table 7.5.

Figure 7.5

Types of Learning and Characteristics of Ideas	
Learning Type	Characteristic of Ideas
instrumental learning _____	capacity to solve immediate and widespread problems
social learning _____	causal chain is identifiable between problem and solution
political learning _____	ideas embedded and well organised
	negative features diffuse and contested
	alternate ideas marginalised or excluded
paradigm learning _____	clustering of foundational ideas and iconisation



The findings from the case studies demonstrate that policy learning needs to be simultaneously oriented at instrumental, social and political learning and with an eye to any new paradigms that might be emerging that could influence the existing paradigm(s) within which the learning is taking place. Whilst May and Hall advanced their types of learning as just that, types, the evidence from this thesis is that types of learning are also entwined with characteristics of ideas which constitute necessary conditions of successful learning.

With EEO in the Commonwealth the network locked in the instruments of administration (high instrumental learning) to overcome problems with contested causal chains (social learning). The network maintained and promulgated political access (political learning) and also ensured that EEO could adapt to new ideas such as structural efficiency (paradigm learning). In Tasmania there was no organised or active network over time and therefore limited evidence of learning.

With the social justice strategy there was a concerted effort to change the discourse to suit the changing political environment and the introduction of a the paradigm of economic rationality. However, there were practically no forums in which either instrumental or social learning took place as the process was very much driven by the production of documents.

In the concessions case there was constant and intensive learning since the mid 1980s and numerous instrumental options canvassed (eg cashing out concessions). However, there was never agreement about the 'rightful place' of concessions within social policy or just what social problems concessions were meant to overcome. In this case there was intensive learning but no consensus on either instruments or causes.

With user pays both the network supporting user pays and the network opposing user pays engaged in intensive learning over a relatively short period of time. There was considerable learning about

the instruments of user pays and many of the inconsistencies were addressed by the review process. Given the dominance of the idea of user pays there was little effort put into other types of learning by the advocating network. The opposing network, however, quickly constructed an array of raw ideas to oppose user pays but the learning process was effectively halted by the review process addressing the instrumental issues. This essentially stopped the social and political learning that had commenced and was being demonstrated by the nascent network organising public rallies and through the range of ideas that opposed the assumptions of user pays (social learning).

Sabatier claims (1987: 682-683) that his framework has three innovations: it highlights the importance of policy subsystems and advocacy coalitions; it integrates normative concerns (eg belief systems) with solving policy problems, and third, it shows that actors are concerned to realise core values and learn about the magnitude and solutions to policy problems. The cases in this thesis reinforce the first two claims of Sabatier but suggest the rationality of the third claim needs to be reviewed. There was much less of a sense of rational learning about better cause and effect to solve policy problems based on fundamental normative and ontological axioms and more a sense of changing actors in policy networks arguing with and about ideas and creating meanings of new situations and problems in a volatile policy environment. In place of Sabatier's (1987: 683) picture of groups of professionals forced to confront each others technical findings about causal relations within a 'depoliticised communication fora' the picture of the mechanisms from these case studies suggest a focus on the organisational status of actors, their ideas, the discourse and political imperatives to manage complex and changing demands.

## **7.6 Developing an Ideas Orientation?**

Policy studies is in a state of flux with some commentators announcing the end of public policy and policy analysis (Hughes 1994: 167) and others announcing the start of a new 'post positivist era'. (Durning, 1995) There is increasing commentary on the emergence of a 'post bureaucratic' form of public management. (Davis and Weller,

1993; Hughes, 1994; Yeatman, 1994; Ryan, 1995) This post bureaucratic form of public management is viewed by most commentators as having a mix of public choice thinking and practices, technocratic thinking and practices and, 'post positivist' thinking and practices. The post positivist thinking and practices all highlight the importance of interpretive ways of acting in policy; the importance of policy learning; the importance of policy networks and; the importance of (contested) ideas as underpinning the policy process. The policy process becomes much more *iterative* and learning based. (Davis and Weller, 1993) All of this sits very comfortably with an ideas orientation.

Suggesting an ideas orientation is not so much the start of a new approach to policy studies but the insertion of a neglected foundation to all approaches to policy understanding and explanation. Nor is it to suggest that this orientation has only recently emerged in practice. Policy activity has always included some emphasis on interpretation, discourse and argumentation about and with ideas although this has most likely increased as part of the 'post modern' phenomenon. What is new are the attempts to conceptualise and research the phenomenon of what Stone calls 'metaphoric reasoning', the reasoning of politics. (Stone, 1988: 306)

The focus of this study has not been simply on substantive ideas and their meanings but on the activity and argumentation itself, the ways in which institutions and individual actors create and shape debate to include and exclude and to justify action or inaction. So, analysis of the control of the discourse as much as the substantive discourse in any policy case is central to understanding and explanation.

This studies differs in two important ways from most other studies of ideas such as those by Hood and Jackson (1991), Hall (1989) and Reich (1990). Firstly, the study has attempted to draw eclectically on the emergent 'post positivist' literature to canvass ways in which a focus on ideas may enhance understanding of policy processes and policy outcomes. Secondly, the study has specifically focussed on meso and micro level empirical research of selected public policy

cases. To date there have been few attempts to canvass in any detail either a theoretical ideas 'orientation' to policy or to attempt empirical meso and micro level research of policy cases focusing on ideas.

Central to the development of an ideas orientation is the focus on argumentation and in all the cases here the evidence was that policy activity was largely about problem definition and problem solving using ideas as a central currency. The key writers on the 'argumentative turn' (Fischer and Forrester, 1993; Majone, 1989; Pal, 1992; Dryzek, 1990) all tend to focus on the activity of argumentation whereas the focus of this thesis has been directed more towards the ideas that are the currency of much of the argumentation, and the policy networks that are the medium of the argumentation.

In contrast to more traditional approaches to policy which tend to either focus on the goals and decisions, or on the stages of policy making, this study has focussed on the form and function of ideas as key factors in shaping (and being shaped by) the interactions within policy networks and therefore shaping the process and the outcomes. The policy activity observed tended to reflect the political rationality of Stone (1988) or the 'garbage can model' of Olsen (1982) more than the stages heuristic of, say, Hogwood and Gunn (1984). Indeed far from being sequential much of the activity was 'recursive' (Bobrow and Dryzek, 1987: 210) where each new phase of analysis of an issue frequently reopened earlier phases. In concessions, for example, the same issues and debates were revisited numerous times each through a slightly different lens.

There is a resurgence of interest in incrementalism (Lindblom, 1990; Hayes, 1992; Weiss and Woodhouse, 1992) and the findings of this thesis has touched on many of the issues being raised by the 'neo-incrementalists'. Hayes (1992) has raised the issue of the circumstances under which some policies tend to be bolder and proceed more quickly than others. He theorises that three of the conditions for 'bold policy initiatives' are a mature network, agreement on policy 'facts' and, agreement on the key ideas being advanced. The only case in this thesis where there was a bold policy

initiative was in the introduction of user charging and in this case the three conditions were present. In all the other cases all three conditions were not present. An ideas orientation shares with incrementalism an interest in the conditions under which the influence of particular ideas is more or less likely to be sufficient to predict rapid or slow analysis and change. Indeed neo-incrementalists are calling for this to be a major focus of research and drawing upon the writings of the 'post positivists' to reconstruct incrementalism. (Weiss and Woodhouse, 1992)

It was acknowledged that the thesis would be exploring largely uncharted terrain and that in order to focus the research lens on meso level case studies of ideas a considerable number of methodological and theoretical issues would have to be bracketed off or only briefly canvassed. Throughout the study many of these issues surfaced, in particular the issue of ideas as independent causal phenomenon and, the boundary issues between ideas and other potential explanatory variables such as interests and institutions. These are significant issues for further research. An ideas orientation does not posit ideas as the 'missing causal link' rather it has the more modest objective of assessing the conditions under which ideas may be more or less influential in shaping policy activity. This then has been the focus of the thesis.

Ideas form and change in the complex relationship between human agency and structural forces under changing historical conditions. It is therefore epistemologically problematical to establish the causality of ideas independent of these relationships. The issue is how to 'isolate' the role of ideas from other potential causal phenomena whilst working within a framework of interdependence. This remains the central challenge for an ideas orientation. I have argued in this thesis that crucial to the orientation is the capacity to differentiate ideas by level and by arena, the capacity to identify the characteristics of ideas and their potential for signification and, the relationship between ideas and the policy networks that organise and design them to form policy.

## 7.7 Conclusion

In each of these cases it was possible to provide an account of the policy activity and understand the outcomes by focussing on the interplay of ideas present. These ideas could be observed without first attempting to disentangle them from material interests, institutions or power. Whilst the ideas are necessarily entwined in the institutional arrangements and the power play of politics and interests they were none the less observable as objective entities influencing the activity. Observable not as disembodied thoughts but grounded in the processes of the policy networks and the competition for policy space and influence.

As key writers on ideas in policy have noted, tracking the flow of ideas and trying to identify a trail when ideas shift has proved particularly difficult to observe and model. (Hall, 1993; Kingdon, 1984) Similarly it was much easier to experience the role of ideas as a participant observer than it was to reconstruct processes from secondary sources.

In each case there was a constituent pool of current ideas present and those ideas were then acted upon by other ideas triggered either by changes in the external environment and/or through the emergence of new proximate ideas and paradigms that either collided with or directly competed for that policy space.

The conceptualisation of ideas by level and by arena enabled a ready classification of ideas in each of the cases and framed the process of proximation and learning. It provided a sense of how ideas from different levels and arenas mesh together in the process of proximation and in the emergence of a proximate paradigm in government by the market. It also framed the role of policy networks and made transparent the range and type of ideas competing for policy space and the shaping of activity within that space through the networks.

Overall the thesis has demonstrated that policy can be observed through the prism of ideas. Each of the cases provided accounts of the

action and the outcomes of policy without the need to focus on decisions, material interests or institutions. In each case the role of ideas through the networks was able to account for why the formal goals were sometimes not achieved (concessions and social justice) but were in others (user charging). Similarly the focus on ideas was able to account for changes over time in the framing of the issues, the structure of the networks and the discourses present. As discussed in the Introduction and Chapter Two of this thesis, a focus on the construction of argument and the interplay of facts, ideas, rhetoric and persuasion are key features of interpretive approaches. (Majone, 1989; Pal, 1992; Fischer and Forrester, 1993) Overall this focus on ideas and the associated activity within policy networks suggests a way of providing an account of policy that does not require either a primary focus on decisions and goals or a primary focus on contextual influences.

Influential ideas act as policy signposts in terms of the directions that change is likely to move in much akin to Weber's image of ideas as the 'switchmen' of history. In each of the cases an understanding of the various ideas provided a clearer sense of what the likely policy outcome was going to be. In particular the emergence of a proximate paradigm from outside a policy sector generated a flurry of learning to adapt, resist and understand new directions. The conditions of proximation enable analysis and explanation of why some ideas are more influential than others. Some ideas such as social justice and concessions were 'churned' but lacked sufficient conditions of proximation to change policy. Other proximated ideas such as user charging were drawn from a powerful new proximate paradigm and quickly carved out a new policy space in national parks and land management.

Returning to the original question of how much do ideas matter, then the evidence from this thesis suggests that where ideas are proximated and, in particular, where they cluster to form a proximate paradigm, then they are as important as material interest and institutions in accounting for policy activity. However the process of successful proximation necessarily entails a close alignment with material interests and institutions. The empirical

reality is one of interdependence rather than independence but as Quirk notes (1988) the 'independent' role of ideas in the interdependent relationship is unlikely to be observed or measured without better 'ideas' theory and 'ideas' methodologies than are currently available.

Theorising in this field has been constrained, in part, by a tendency to reject an ideas orientation by linking it to more extreme claims about ideas as independent causal phenomenon. Such an orientation would be clearly problematical. However, the approach here has been to reconstruct the research questions around the conditions under which certain types of ideas may be more or less influential in understanding policy activity and policy outcomes. Ideas may be considered more or less influential than a number of other potentially competing factors. These factors include power, interests, institutions and histories. Rather than focus specifically on these relationships (between ideas and other factors influencing policy) the thesis has assumed a degree of interdependence between the factors (as, for example, has Hood, 1994) and concentrated on gaining a better understanding of how the types of ideas and the settings in which they are employed may impact on the level of influence in policy activity.

Again the argument here is not that this study is a total 'framework' or that it constitutes an entirely 'new approach' in policy studies. Rather this study makes the more modest and realistic claim to contribute towards theorising about what interpretive approaches may contain in terms of theory and research tools. It does this through a primary focus on ideas, proximation, networks and learning and in doing so develops and assesses some of the building blocks for a new orientation.

Much of the significance of ideas in understanding policy lies in the duality of the role of ideas. Ideas are both the focus of much of the argumentation and are also used to structure argumentation. In this sense they are both a currency and a prize of policy.



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